

1900.
NEW ZEALAND.

STOKE INDUSTRIAL SCHOOL, NELSON

(REPORT OF ROYAL COMMISSION ON, TOGETHER WITH CORRESPONDENCE,
EVIDENCE, AND APPENDIX).

Laid upon the Table by Command of His Excellency.

SIR,—

Wellington, 28th August, 1900.

We have the honour to hand you herewith, for presentation to His Excellency the Governor, our report on St. Mary's Industrial School at Stoke, together with the evidence and an appendix.

We have pleasure in expressing our satisfaction with the manner in which Mr. Pope, of the Education Department (who acted as our secretary), performed his duties.

The commissions (20th July and 6th August) with which we were honoured are returned herewith.

We have, &c.,

R. BUSH,

H. S. WARDELL,

The Right Hon. the Premier, Wellington.

Commissioners.

REPORT.

To His Excellency the Right Honourable Uchter John Mark, Earl of Ranfurly, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its dependencies, and Vice-Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,—

We, the Commissioners appointed by your Excellency's commissions of the 20th day of July and the 6th day of August, 1900, to inquire into and report on the management of the Industrial School for Boys at Stoke, and the treatment of the inmates therein within the last five years, and into any matter or thing which might be preferred in writing or otherwise brought before us in any way relating to or arising out of the premisses, have now the honour to submit to your Excellency this our report.

In pursuance of the objects of our commission we proceeded to Nelson, visited the school at Stoke, and, after due notification to all persons concerned, and publication of your Excellency's commission of the 20th July, sat at the Supreme Court Building at Nelson on the 25th day of that month, to receive any complaints that might be preferred against the management of the school, and hear any evidence produced in respect of them. The supplementary commission was published on the 10th of August, after previous notification, and further evidence taken subsequently.

The school at Stoke, known locally as "The Orphanage," is a branch of the Roman Catholic institution established in Nelson by the Rev. Father Garin in 1874, and which was subsequently recognised by "The Industrial Schools Act, 1882," as a private school under that Act, by the name of "St. Mary's Industrial School, Nelson." The approval of the Rev. W. J. Mahoney, as Manager, was gazetted in 1884, and he continues to hold that position.

The branch at Stoke, which is five miles from Nelson, is used for boys of nine years and upwards, the younger boys and girls being at the Convent at Nelson. The Rev. Father Mahoney resides at Nelson, and is Manager under the Act of both branches.

The development of the institution, and increase in the number of children, led to the acquisition of 675 acres of land at Stoke, and the erection of the present buildings thereon, at a total cost of some £11,000. The property belongs to the archdiocese, and is vested in trustees, of whom Archbishop Redwood is one. The buildings are good, the playground, football- and cricket-grounds, and swimming-bath excellent; but the baths in the house are insufficient.

There is now a debt on the property of £5,000, secured by mortgage, £500 having been paid off during the last two years. Of this sum £300 was taken from the revenue of the school, and £200 was a legacy to Father Mahoney given for the purpose.

Prior to 1890, Father Mahoney had personal management of the school, but in January of that year an arrangement was come to by which the charge of the school was taken over by an Order known as Marist Brothers, a French religious Order of laymen devoted to the instruction of poor boys, under a convention with the trustees, dated 13th May, 1889, by virtue of which the Order is empowered to receive all revenue of the estate and school, and employ the same for the purposes of the institution, a liability remaining with the trustees to supplement the funds if insufficient, with a proviso that, while following in their teaching the methods and rules of their society, they will in all things conform to the laws of the country. The Superior-General of this Order, which numbers some six thousand members throughout the world, resides in France, its members in this and neighbouring colonies being under the immediate control of the Brother Provincial, who is stationed at Sydney, and who visits the schools under the charge of his Order in this colony twice a year, at intervals of about six months.

The staff of the school consists of ten Brothers (of whom one is director) and various employés. Two of the Brothers (including the director) are foreigners, the others English, Irish, Scotch, and Colonials.

No salary is paid to the Brothers, but £15 a year is charged against the income of the school for the clothing, &c., of each of them. The whole revenue is devoted to the institution, none going out of the colony except for goods purchased.

The total number of boys on the books of the school is 224, of whom 125 are resident at Stoke. In respect of fifty-nine of these, the State, by the Education Department, pays directly to the manager the sum of 7s. per week each; while the various Charitable Boards pay for thirty-nine, who have been committed from their districts as indigent children, the amounts following:—

Dunedin Charitable Aid Board, for 9 boys, 6s. 6d. per week each.				
Oamaru	"	1	"	7s.
Timaru	"	1	"	7s.
Christchurch	"	4	"	6s.
Westport	"	2	"	6s.
Greymouth	"	4	"	7s.
Reefton	"	2	"	6s. 6d.
Nelson	"	5	"	7s.
Nelson	"	2	"	5s.
Picton	"	2	"	6s.
Wellington	"	5	"	7s.
Wanganui	"	1	"	6s. 6d.
Auckland	"	1	"	6s. 6d.

And there are twenty-seven for whom no payment by the State is being made.

In response to the public notification of your Excellency's commission of July, a series of complaints were preferred by the Nelson Charitable Aid Board against the management of the school, and one in respect of the limited right of inspection given by statute. The Board was represented before your Commissioners by Mr. Harley as counsel, and the school authorities by Mr. Fell.

The complaints of the Nelson Charitable Aid Board were as follows:—

1. That, although many of the boys at the school are very young, the school is entirely under the management of unmarried men, no matron having been employed there for many years.
2. That the punishment of the boys at the school has been and is more severe than is allowed at Government industrial schools, and more severe than should be allowed in such a school as St. Mary's.

3. That the boys' food has been and is insufficient in quantity, poor in quality, and not sufficiently varied.
4. That the boys have been and are poorly and insufficiently clothed.
5. That certain of the work required to be performed by the inmates has been and is too hard, especially for lads of tender years.
6. That boys who have died at the school have been buried in the grounds connected with the school.
7. That St. Mary's Industrial School, being a private school under "The Industrial Schools Act, 1882," stands on a different footing to Government industrial schools, and is not subject to the same supervision and inspection as Government schools, although the majority of the boys at the school are committed there by Magistrates, and are supported by Government or Charitable Aid Boards.

In considering these complaints we have weighed carefully the evidence adduced, and made such further inquiries as seemed to us meet, and, after due consideration, report upon them as follows :—

- "1. That, although many of the boys at the school are very young, the school is entirely under the management of unmarried men, no matron having been employed for many years."

The facts as alleged are admitted. The question raised is an abstract one on which we have no evidence to guide us. It is purely a matter of opinion, founded on general observation, and on which, especially in relation to boys of the class found in industrial schools, we know a great deal can be said on both sides. Our opinion will be expressed in making our recommendations.

- "2. That the punishment of boys at the school has been and is more severe than is allowed at Government industrial schools, and more severe than should be allowed in such a school as St. Mary's."

This complaint has been established. We can only compare the punishment of the boys at Stoke with the punishment allowed at Government schools by referring to the regulations now in force in respect of punishments in those schools, issued 14th October, 1895. Punishment at Stoke has not been in conformity with those regulations, which by statute apply only to Government schools. No regulations are issuable under the Act in regard to punishment in private schools. At Stoke all teachers in charge of boys, whether at school, play, or work, administer it. Punishment was given until quite recently by strokes upon the hand with a supplejack. The supplejack has been freely used in this way, and, without doubt, in some cases with great severity. The use of the supplejack has lately been abandoned in favour of the strap, on the recommendation of the Secretary for Education. Some cases of punishment outside the rules laid down by the Brothers for their own guidance have been brought to our knowledge, in which cuffs and blows, and in two cases kicks, were given by Brother Killian, who, by those and other acts, has shown that he is unfitted for his position. Brother Wybertus, whose conduct, although not so reprehensible as that of Brother Killian, has also by violence proved himself unsuitable for his position. We are now informed that both these Brothers have been removed from the school.

Corporal punishment by flogging on the bare posterior with a supplejack was inflicted with severity, previous to 1895, for absconding and other serious offences; but we are not satisfied that any case has been proved within five years of the date of our commission. The witnesses who have referred to it, speaking from memory, assert it occurred about five years ago, and was inflicted by Brother Wybertus. The duty of flogging devolved on the Prefect, which office Brother Wybertus ceased to hold towards the end of 1894. We are quite satisfied there has been no case of flogging for more than four years and a half.

Cell punishment at Stoke has been much in excess of that authorised at the Government schools, and is more than should be allowed. During the last two years sixteen boys have been confined in cells for various periods, as under :—

2	boys for four days.
1	" six days.
6	" seven days.
2	" eight days.
1	" two weeks.
2	" three weeks.
1	" two months and three days (Skilton).
1	" three months (seclusion).

In some of these cases the confinement has been continuous for an unreasonable period, and has been solitary, except that the boy has been taken out for church services, and visited by a Brother four times a day, at meals and at bedtime. The boy has been fed as the other boys, but on some occasions water has been given instead of tea for one or two days; and in two, if not more, cases strokes of the supplejack were given upon the hand at intervals during the confinement. A mattress and sufficient blankets were provided at night.

The boy Skilton, who was confined for over two months, had repeatedly absconded; and in dealing with him for a criminal offence (horse-stealing) the Supreme Court ordered that he should be sent to Burnham, but that institution not being ready to receive him, he was detained at Stoke, and as he threatened he would escape on the first opportunity he was confined in a cell at night, and taken out morning and afternoon for work and exercise in charge of a Brother. The boy, who was confined for three months, had been guilty of a grave offence against morality, and was punished by seclusion for the period named. He slept in the cell, was taken out in the morning and afternoon by a Brother, but not allowed to associate with other boys. In the other cases enumerated, the punishment has been for absconding, insubordination, and immorality.

We have no proof of any boy having been confined in a dark cell. Two of the old inmates spoke of a cell under a staircase, lighted only by an opening the width of the door, and about 4 in. wide, but we have no reason to believe any boy has been confined in it during the last five years.

These cell punishments were ordered by Brother Loetus, as director, without the knowledge of Father Mahoney, the Manager, were not reported to him, and no record of the punishments kept.

We find no particular fault with the cells used at Stoke, except that they were too isolated. The cells at Burnham are, we are informed, more like the ordinary police lock-up, but better lighted. The cells recently used at Stoke were demolished on the 1st of June last, in compliance with a suggestion by members of the Nelson Charitable Aid Board, who visited the institution about that time. There is, however, a room in which are three subdivisions, apparently originally constructed for cells, but which certainly have not been used for that purpose for five years and upwards.

“ 3. That the boys' food has been and is insufficient in quantity, poor in quality, and not sufficiently varied.”

On this complaint we are of opinion that the food supplied at Stoke prior to June last was not sufficiently varied, the dietary table for dinner being a monotonous repetition of stews, composed of meat, potatoes, and vegetables, no joints being served except on festivals, and puddings but seldom; but it was sufficient in quantity, and wholesome in quality; if it had been otherwise, the health of the inmates must have suffered, whereas the medical witnesses told us the boys are healthy and well-conditioned. Some of the witnesses complained of the use of dripping or fat, and of the mode of its preparation; but, in our opinion, without justification.

Since June last the following dietary table has been adopted :—

Breakfast, 7.30 a.m.

Sunday : Cocoa or coffee, bread and jam or butter.
 Monday : Tea, bread, porridge, milk and sugar.
 Tuesday : Tea, bread and jam.
 Wednesday : Same as Monday.
 Thursday : Same as Tuesday.
 Friday : Same as Monday.
 Saturday : Same as Tuesday.

Dinner, 12 noon.

Sunday : Cold beef or mutton, steamed potatoes and vegetables, pudding.
 Monday : Stew of mutton or beef, potatoes and vegetables, bread.
 Tuesday : Same as Monday.
 Wednesday : Sausage or mutton, potatoes and vegetables, pudding.
 Thursday : Same as Monday.
 Friday : Tea, bread and butter, mashed potatoes, cheese.
 Saturday : Same as Monday.

Tea, 6.30 p.m.

Sunday: Tea, bread and jam or butter.

Monday: Tea, bread and golden syrup.

Tuesday: Tea, bread and butter.

Wednesday: Tea, bread and dripping.

Thursday: Tea, bread and jam.

Friday: Tea, bread and golden syrup.

Saturday: Tea, bread and butter.

Fruit or pie in season.

This table is a considerable improvement on the former one, but we recommend that hot boiled or baked meat be supplied at dinner on Tuesdays and Thursdays, and vegetables in addition to potatoes on Fridays. We think this dietary would be satisfactory, although it is not equal to that at present in use at Burnham, which appears to us to be somewhat beyond the requirements of such an institution, and which is set out in the appendix.

“4. That the boys have been and are poorly and insufficiently clothed.”

The clothing has, in our opinion, been sufficiently good in quality, although made of rough material; the shirts being of a strong, coarse linen; the coats, vests, and trousers of coloured moleskin. Vests are not usually worn with every-day clothes. The boys wear no underclothing in summer, but in winter a flannel shirt or jersey over the day shirt is worn by some of the boys, while others have only the linen shirt. Many of the jerseys are thin, and some not whole. The school- and working-clothes are old and patched, but quite wearable. They have, in addition, one Sunday suit and one picnic or gala suit.

It seemed to us the boys were, on the occasion of our visit on the 25th July, lightly clad for the season of the year, and we recommend that either under-vests or outside jerseys should be worn in addition to linen shirts by all the boys during the winter months. On a visit made on the 3rd August we found the boys wearing new outside jerseys with waistcoats and coats. They were decidedly overclothed on that occasion. We have medical evidence that the ordinary clothing is adequate for purposes of warmth. While it may be truly said they have been poorly clad, we cannot, in view of the fact that there has been no death at the school for over six years, and no case of pulmonary disease or other illness for more than two years, and that at the present time there is not a cough or a cold amongst the 120 boys, say they have been insufficiently clothed.

“5. That certain of the work required to be performed by the inmates has been and is too hard, especially for lads of tender years.”

The evidence adduced and our observations do not establish this complaint, in support of which it was endeavoured to be shown that lads of tender years were sent up a hill about 1,200 ft. high, ascended in a distance of 75 chains, three or four times a day to bring down heavy posts and poles.

We are satisfied that during the last four or five years none of the boys have been up the hill more than twice in a day, and but seldom more than once; but when the boundary-fence was in course of erection, in 1894–95, on some occasions boys did make four trips in the day. The work of bringing down posts, &c., was not too heavy: bringing them up on the other side of the hill, a distance of 10 to 20 chains, would have been if each post was carried by a single boy, but two or three assisting lightened the work when necessary. We are satisfied that the work was no harder than is frequently being done by bush-settlers' sons of the same age. The boys went to work in large numbers, and regarded it more as a holiday than work. Residents in the neighbourhood say there was no appearance of severity in enforcing the labour, but that, on the contrary, it was done with much hilarity. Some of the boy witnesses stated that they preferred this work to lessons. Work on the hill was not continuous, but at intervals as occasion required.

“6. That boys who have died at the school have been buried in the grounds connected with the school.”

This is perfectly true, but is no ground for complaint. Those who have died at the school have been buried in a public cemetery dedicated and gazetted ten years ago, being 5 acres in extent, part of the school estate, sufficiently remote from the school, and perfectly sanitary. The school is seven or eight miles distant by the nearest road from any other cemetery. Four boys have died at the school and one at the hospital since 1890—viz., one in 1891, two in 1893, and two in 1894—and these have been buried in the cemetery. No death of an inmate in the school has occurred during the last six years.

“7. That St. Mary’s Industrial School, being a private school under ‘The Industrial Schools Act, 1882,’ stands on a different footing to Government industrial schools, and is not subject to the same supervision and inspection as Government schools, although the majority of the boys at the school are committed there by Magistrates, and supported by Government or Charitable Aid Boards.”

This is a complaint not against the management of the school, but against the existing law affecting all private schools under “The Industrial Schools Act, 1882,” and will be dealt with in our recommendations.

On the occasion of a recent visit which we made to the school, we gave the boys an opportunity of making any complaints they desired to make to us. Ten complained. We examined them separately. The complaints were of strokes with the supplejack and rough treatment. Some of these complaints were trivial; none were serious.

At a sitting held subsequent to the issue of the supplementary commission a complaint was made by one Frank McCormick, an ex-inmate of the school, of short feeding and severe treatment, which, as it related to events occurring more than five years ago, was outside our inquiry.

A boy named Thomas Lane, an inmate now in the hospital, who had previously given evidence in support of a complaint by the Charitable Aid Board, complained of ill-treatment, and that he had not received some article his mother told him she had given the Brothers for him; but, as it was shown the mother had died at Wellington in 1895, we made no further inquiries. A letter written by this boy at the hospital on 8th June last addressed to Brother Loctus in terms of affection and gratitude, very inconsistent with his evidence, was produced, and will be found in the appendix.

A statement was made to us by William Ross, a former inmate, that he had been informed an inmate of the school named Thomas Lynch had told some other boy that one of the Brothers had acted indecently with him. We had the boy brought to us, and examined him carefully, the examination being reported in the evidence herewith, with the result that we are satisfied the imputation was a fiction, or, as the boy himself put it, a lie.

Reviewing the evidence given by inmates and ex-inmates respecting the discipline and management of the school, we feel a great deal of it was tainted by exaggeration, the result of strong personal antagonism to certain of the Brothers who have now been removed.

The management of the school by the Brothers has not been satisfactory in respect of the cleanliness of the body and clothing of the inmates, while the condition of one of the dormitories, which is infested with fleas, and of the one used by boys of dirty habits, is not creditable. The limited amount of bath accommodation in the house, and the failure to keep the hot-water apparatus in order, together with the absence of proper and sufficient conveniences accessible from the dormitories, are matters which should receive immediate attention. There should be at least four baths supplied with warm water. A new range has been purchased at a cost of over £90, which has not yet been erected, but which will not only afford better facilities for cooking, but provide a sufficient supply of hot water. The bedding, with the exception above referred to, is good and sufficient.

The Marist Brothers have had no experience in the Australasian Colonies except at Stoke, of any but day-schools, and are therefore untrained in the special duties involved in the management of boys permanently with them, while the habit of life of members of the Order cannot be regarded as calculated to develop those characteristics which are necessary to engender such feelings as should exist in those having charge of young lads. This want would be especially felt by boys as young as nine years, at which age they are, as a rule, passed from the boys’ school in charge of the Sisters at Nelson to the school at Stoke, although in cases of unusual precocity they are removed earlier.

The number and ages of boys at both schools are as follows :—

<i>At Nelson.</i>		<i>At Stoke.</i>	
2 aged 3 years.	6 aged 7 years.	2 aged 7 years.	13 aged 12 years.
1 " 4 "	5 " 8 "	1 " 8 "	24 " 13 "
5 " 5 "	1 " 9 "	7 " 9 "	22 " 14 "
4 " 6 "	1 " 10 "	10 " 10 "	8 " 15 "
		14 " 11 "	2 " 15 "

Our opinion is that no institution for young boys can be efficiently conducted so as to secure cleanliness in their surroundings, and proper attention in regard to their under-clothing, linen, and bedding, without the assistance of women. In cases of sickness, the

presence of women in the infirmary is indispensable. It appears to us almost impossible for men, no matter how well disposed, or how much in sympathy with the boys, to do what women can do in the matters referred to. We cannot believe that if women had had anything to do with the duties at Stoke School, the boys would have been allowed to wear socks for weeks or months without washing, or that the bedding of the smaller dormitory—that occupied by boys of dirty habits—would have been in the condition described in evidence. Again, it appears to us that the entire dissociation from women during six or eight years of the early life of a boy must have an injurious effect upon his character. We consider there should be at least two women employed at Stoke School—married women, whose husbands might be engaged as cook, gardener, farm-hand, &c., and whose duties should be in the laundry, the clothing-room, the dormitories (when not occupied by boys), and the infirmary. If these women were carefully selected for their duties, we believe their presence would be of great advantage to the institution.

Nor do we think the management has been satisfactory with regard to outside work. It appears evident to us that the boys' work has been too desultory and unsystematic, and that in consequence they have not benefited by their physical training to the extent they might have done. Ample opportunity exists at Stoke for the employment of the boys at more systematic labour, under proper instructors, in garden, dairy, and farm work. This would involve the employment of skilful men suited for the work, as instructors; but the result would be to make both garden and the farm more productive than they have been, and provide a much larger and more varied supply of vegetables and farm-produce, milk, and butter for the use of the school than has been produced of late. More technical education should also be given.

The system of punishment until quite lately has been unsatisfactory, and has already been referred to in detail. It has been too severe. The flogging with supplejacks on the body, now long discontinued, verged on cruelty. The punishment on the hand with supplejacks is more severe than with cane, and it has been used too freely. It is now given up, and the strap adopted. The regulations now in force as to punishments in Government schools appear to us to err on the side of clemency.

It has been the practice at the school for upwards of ten years to administer a dose of mustard and water in all cases of indisposition. This has been much complained of, and has been more or less strongly condemned by the medical witnesses. No direct mischief has been traced to it, but its use should be discontinued at once.

The fact that Brothers Kilian and Wybertus, who were deservedly unpopular, were retained in their positions for a considerable time after their unsuitability was manifest is a serious blot on the management.

In the course of our inquiry we instructed Drs. Gibbs and Talbot to visit the school, and report upon the physical condition of the boys. The result of their examination of the inmates and premises is given in Dr. Gibbs's evidence, concurred in by Dr. Talbot. From this we learn that the boys were generally well nourished and in good health, but in height were below the average of boys of the same age in England and Wales, while in weight they are above the average up to twelve years, and below it after that age. Dr. Gibbs furnished us with a table giving the height and weight of each boy in the school compared with English standards, which will be found in the appendix. We have no means of comparing the children at Stoke with those at other similar schools; but we understand a low average is characteristic of inmates of industrial schools, Mr. Hogben, the Secretary of Education and Inspector of the Schools, having in his evidence told us that industrial-school children are usually under average size, principally due to hereditary and antecedent circumstances.

The educational work of the school is under the care of Brother Augustine as head-teacher, the boys being classed as under:—

Preparatory	3	Standard IV.	24
Standard I.	8	" V.	20
" II.	16	" VI.	8
" III.	41	" VII.	1

A number of boys are employed at tailoring under a teacher, who make and repair the clothes worn by the inmates. Others are engaged in the laundry, some at housework, and a few in the kitchen, the house-cleaning being fairly well done.

The school band is very good and well trained, and has over thirty performers.

The football and cricket teams are well kept up, and during the summer bathing in the swimming-pool is regularly practised.

The Manager, the Rev. Father Mahoney, is blamable for having allowed the management of the school to practically pass out of his hands. He appears to have intrusted the entire control to the Brothers in charge, failed to make himself familiar with the discipline of the school while under their care, and, in the absence of any complaints by inmates or other persons, either to himself or to the chaplain, assumed the management by the Brothers to be satisfactory in every respect. This having gone on for some years, the Brothers have come to regard themselves as to a great extent independent of the Manager. This must not be allowed to continue; the personal responsibility and control of the Manager must be recognised.

We are of opinion that, although, as a general rule, the Manager should be resident on the premises, still, having regard to the fact that Father Mahoney was practically the founder of the institution, that his interest in it has been unceasing, that he is personally very much respected by former and present inmates, and that we hold him innocent of any knowledge of those severities and shortcomings which we have condemned, he should remain the approved Manager of the school, although residing at Nelson.

During our sittings the Provincial of the Marist Brothers gave evidence before us, and informed us that the Order recognises the overriding authority of Father Mahoney as Manager in the management of the school, including the right to remove any member of the staff if, in his opinion, he is unsuitable. The witness also expressed a willingness and desire that the school should be placed under the same regulations in all respects as the Government schools in regard to matters mentioned in section 46 of the Act of 1882, except as to religious instruction.

On action taken by the Manager, Father Mahoney, the Brothers Loetus, Wybertus, and Kilian have been removed, and their places filled by Brothers new to the school.

While we recognise that no complaint has been made against, or any unfitness shown by, the remaining members of the old staff, some of whom—more particularly Brother Augustine—have been spoken of as kind Brothers, it will, in our opinion, be in the interests of the institution to gradually replace them by Brothers unassociated with the past administration of the school, of British nationality, and of cheerful disposition.

The right of inspection of industrial schools is governed by sections 49 and 50 of "The Industrial Schools Act, 1882." Under section 49, all members of both Houses of Parliament, Judges of the Supreme Court, all Magistrates, Inspectors appointed under the Act, and all persons authorised in that behalf by the Minister, have the right to inspect any Government or local school, while, by section 50, the right of inspection of private schools is limited to Inspectors appointed under the Act, and Inspectors of the Education Department appointed for that purpose. There is no definition by statute of the powers of Inspectors.

All classes of industrial schools are subject to any regulations made under the Act (section 47) in regard to inspection, but no such regulations have been made of which we have any knowledge.

It appears to us that this right of inspection of private schools given by the Act is sufficient if the power to appoint Inspectors is exercised so that some two or more persons, one of whom should be, if possible, a medical man, resident in the district in which the school is situate, are appointed Inspectors or Official Visitors, and their powers clearly defined. We do not consider it right to flood any institution of this character, public or private, with a large visiting body. If, however, it is thought desirable to extend the right of inspection, it might be given, in addition to Inspectors, to all members of both Houses of Parliament, Judges, Stipendiary Magistrates, and the Chairman of the Charitable Aid Board of the district in which the school is situate.

We feel very strongly that the Act should be so amended that all regulations in respect of the employment, education (other than religious instruction), diet, clothing, correction, and industrial training of the inmates shall apply to all schools under the Act; and in making this strong recommendation we are supported by the assurance given by Father Mahoney, and the Provincial of the Marist Brothers, that they would welcome a change which would put them on the same lines as the Government schools in respect to the matters above mentioned.

We think it very important that a duly qualified medical man should be appointed to visit the school periodically, whose duty it should be to inspect—not in a perfunctory manner—the inmates and dormitories, and to record in a book kept for the purpose the result of his visits. All punishments should be reported to this officer at his first following inspection.

With regard to the punishment of inmates who may be brought before a Magistrate under section 67 for absconding or other misconduct, and ordered to be sent back to the school when they are punished, we feel strongly that the punishment should be ordered specifically by the Magistrate, and that, if whipping is ordered, it should be given by the police, and not by the school authorities. As showing the necessity for this, we may state that the two boys found in the cells by the members of the Charitable Aid Board who visited the school on the 30th May last had absconded, and were ordered by the Magistrate to be sent back to the school and punished, and were placed in the cells—the usual punishment at the school for absconders.

The want of classification of the inmates at Stoke necessarily adds very much to the difficulty of maintaining discipline in such an institution. The constantly recurring introduction into the school of boys fresh from crime or scenes of vice must keep in a constant ferment the evil existing amongst those already there. We learnt at the school that the Brothers make every effort to prevent the knowledge of the ground of a boy's committal to the school being known, so that all can be on a common footing, and, when they leave, go to the world as from the "Orphanage." When we consider the inmates consist of two classes—criminal and neglected or indigent children—it appears to us that a great risk of injury to one class is incurred for the sake of the other, and that the more unworthy. We are of opinion that criminal children newly committed should, before being associated with the other inmates, undergo a period of probation in some part of the institution (it might be called "the reformatory") set apart for the purpose. We further think it desirable that inmates who have been licensed out for work, and who have returned to the school, should, as far as possible, be kept apart from the ordinary inmates.

It is notable that, no complaint having been previously made, the suggestions of the members of the Nelson Charitable Aid Board on the occasion of their visit to the school in May last were received in good spirit and promptly acted upon: this, with the desire expressed by the authorities of the school that it should be placed under the same regulations and departmental inspection as the Government schools, leads us to anticipate satisfactory results from our inquiry.

We desire to express to your Excellency our recognition of the assistance given to us in our investigations by Mr. Hogben, Secretary of the Education Department; by Mr. Harley, as counsel for the Nelson Charitable Aid Board; and by Mr. Fell, as counsel for the school authorities.

We now return to your Excellency the commissions with which you honoured us, together with the evidence taken, and appendix.

In witness whereof we have hereunto set our hands and seals, this eighteenth day of August, in the year of our Lord one thousand nine hundred.

(L.S.)

R. BUSH.

(L.S.)

H. S. WARDELL.

NOTE.—While entirely agreeing with the foregoing report, I am of opinion that the whole of the old staff of instructors should be replaced by a new one, so as to enable the institution to be carried on for the future entirely free of old associations.

R. BUSH, Commissioner.

CORRESPONDENCE.

The Hon. the MINISTER of EDUCATION to the Very Rev. Dean MAHONEY.

SIR,—

Office of the Minister of Education, Wellington, 27th August, 1900.

I have the honour to forward herewith copy of the report of the Commissioners appointed by His Excellency the Governor to inquire into and report on the management of the Industrial School for Boys at Stoke, and the treatment of the inmates therein within the last five years.

From this report I regret to find that the punishment of boys at the school has been more severe than is allowed at Government industrial schools, and is more severe than should be allowed at any school. The supplejack has been freely used, and in some cases with great severity. Cuffs and blows, and in two cases kicks, were given by Brother Kilian. Brother Wybertus has been guilty of violence, and both have been proved unsuitable for the position. I am glad to hear that these Brothers have been removed from the school.

The charge of flogging on the bare posterior within five years of the date of the commission has not been proved, and the Commissioners are satisfied that there has been no case of flogging for more than four years and a half.

The cell punishment at Stoke has been much in excess of that authorised at the Government schools, and is more than should be allowed.

In some cases the confinement has been continuous for an unreasonable period. On reading over the evidence and the findings of the Commission, one can scarcely credit that boys should

have been confined for the periods proved. In the case of the boys Skilton and others, had the offence warranted the punishment it would have been preferable to have handed them over to the authorities.

I am pleased to know, from the findings of the Commission, that these cell punishments were ordered by Brother Loetus, as director, without your knowledge, and that they were not reported to you.

The Commission find that the food supplied at Stoke prior to June last was not sufficiently varied, although sufficient in quantity, and wholesome in quality.

The Commissioners find that the clothing has been sufficiently good in quality, although made of rough material. Many of the jerseys were thin, and some not whole. The Commissioners recommend that either under-vests or outside jerseys should be worn in addition to linen shirts by all the boys during the winter months. They find that the ordinary clothing was adequate for the purposes of warmth.

In respect of the charge that certain of the work required to be performed by the inmates was too hard, the Commissioners report that the evidence adduced and observations made by them do not establish this complaint, although in 1894-95 it was proved that the boys had made four trips in the day up the hill, about 1,200 ft. high. The Commissioners, however, find that the work the boys were called upon to do is no harder than that of bush-settlers' sons of the same age.

As to the complaint that the boys who died in the school were buried in the grounds connected with the school, the Commissioners find that there is no good ground for complaint, as the burial-place is a public cemetery, dedicated and gazetted ten years ago.

They report that they gave an opportunity to the boys of making any complaint they desired to make to them, with the result that ten complained, and were examined separately. The complaints were strokes with the supplejack, and rough treatment. The Commissioners find that some of these complaints were trivial, and none were serious.

With regard to the complaint made respecting the boy Thomas Lane, the Commissioners state that the alleged ill-treatment must have occurred before 1895, and that the letter written by the boy on the 8th June last, addressed to Brother Loetus in terms of affection and gratitude, was inconsistent with his evidence.

The Commissioners find that the statement that one of the Brothers had acted indecently with the boy named Thomas Lynch was a fiction.

They further find that the management of the school by the Brothers has not been satisfactory in respect to the cleanliness of the body and the clothing of the inmates. The condition of one of the dormitories has been unsatisfactory, as it is infested with fleas, and that one of the dormitories used by the boys of dirty habits is not creditable. They also find that the bath accommodation requires immediate attention.

The Commissioners find that the assistance of women at the Stoke School is indispensable, and consider that at least two married women should be employed there, whose husbands might be engaged as cooks, garden or farm hands.

They do not think that the management has been satisfactory with regard to outside work, there having been no system, and they are of opinion that men skilled in garden, dairy, and farm work should be employed. They are also of the opinion that more technical education should be given.

The Commissioners find that the system of punishment until quite lately has been unsatisfactory. It has been too severe, flogging with supplejacks on the body, now long discontinued, having verged on cruelty.

They find that the administering of doses of mustard-and-water in all cases of indisposition was highly condemned by all the medical witnesses, and that, although no direct mischief has been traced to this, they recommend its immediate discontinuance.

They find that the retaining of Brothers Kilian and Wybertus in their positions for a considerable time after their unsuitability was manifest is a serious blot on the management.

The Commissioners find that you are blamable for having allowed the management of the school to practically pass out of your hands, and having failed to make yourself familiar with the discipline of the school while under your care. They advise that this must not be allowed to continue, and that you must recognise your responsibility and control as Manager.

Whilst recognising that no complaint has been made against, or any unfitness shown by, the remaining members of the old staff—Brothers Loetus, Wybertus, and Kilian having been removed—the Commissioners are at the same time of the opinion that it would be in the interests of the institution to gradually replace them by Brothers not associated with the past administration of the school, of British nationality, and of cheerful disposition.

The Commissioners advise that a duly qualified medical man should be appointed to visit the school periodically, and to report in a book kept for the purpose the result of his visit, and that all punishments be reported to him at his first inspection following the punishment.

They advise that there is a want of classification of the inmates of the school, and that this adds to the difficulty of maintaining discipline. They are of the opinion that criminal children newly committed should, before being associated with the other inmates, undergo a period of probation in some part of the institution set apart for the purpose. They are further of opinion that inmates who have been licensed out for work, and who have returned to the school, should be kept apart from the ordinary inmates.

After carefully going through the report and sifting the evidence, the Government have come to the conclusion that the reforms indicated are necessary; and that, in order to carry them out they must have from you, as Manager of the institution, an undertaking that the following conditions will be complied with, otherwise the removal of the boys from your control will be necessary:—

1. That the punishment in the institution shall be the same as under the regulations of the Government schools.

2. That the food shall be varied in accordance with the recommendations mentioned by the Commissioners in their report.

3. That the recommendation of the Commissioners to the effect that the boys should have under-vests to be worn in addition to the linen shirts during the winter months shall be given effect to.

4. That at least two married women shall be employed at the school, whose husbands might be engaged as farm-hands, &c., the women to be employed in the laundry, clothing-room, dormitories, and infirmary.

5. That in order to fully benefit the boys' physical training and outside work, at least two men skilled in garden, farm, and dairy work shall be employed.

6. That the administering of mustard-and-water in cases of indisposition shall be discontinued.

7. That a "punishment-book" shall be kept, in which shall be entered day by day records of all punishments inflicted in the school.

8. That a duly qualified medical officer shall be appointed to visit the school periodically, and a book kept in which he shall make a record of every visit, together with any notes that he may think fit. On the occasion of every visit of the medical officer, the punishment-book, with all records of punishment duly entered up to date, shall be produced to him.

9. That all the Brothers associated with the past administration of the school shall be at the earliest possible date replaced by others of British nationality and of cheerful disposition.

10. The Government further require that, as far as practicable, there shall be a classification of the inmates, and that the criminal children newly committed shall, before being associated with the other inmates, undergo a period of probation in some part of the institution to be set apart for the purpose.

11. The Government desire that inmates who have been licensed out for work, and have returned to the school, shall, as far as possible, be kept apart from the ordinary inmates.

It has weighed with the Government whether, under the circumstances disclosed, proceedings shall not be instituted against Brothers Loetus, Wybertus, and Kilian, but, as they have been removed from the institution, it has been decided that further action is unnecessary, although well deserved.

Very Rev. W. J. Mahoney,
Manager, St. Mary's Industrial School for Boys, Stoke, Nelson.

I have, &c.,
W. C. WALKER.

The Very Rev. Dean MAHONEY to the Hon. the MINISTER of EDUCATION.

SIR,—

St. Mary's Cathedral, Wellington, 28th August, 1900.

I have the honour to acknowledge with thanks the receipt of your letter containing a summary of the report of the Commissioners appointed to inquire into the management of the industrial school for boys at Stoke, Nelson, as well as of the decision of the Government as to the reforms to be carried out in the future.

In reply, I have to say that I willingly undertake that the reforms indicated in the letter shall be complied with. As, however, the carrying-out of some of the conditions requires a modification in the buildings, and a change in the staff, I would respectfully ask the Government to allow me a reasonable time to make the necessary improvements.

I have, &c.,
W. J. MAHONEY, Manager.

The Hon. W. C. Walker, Minister of Education, Wellington.

The Hon. the MINISTER of EDUCATION to the Very Rev. Dean MAHONEY.

VERY REVEREND SIR,—

Parliament Buildings, Wellington, 28th August, 1900.

I beg to acknowledge your letter of to-day's date, in reply to mine respecting the conditions the Government require to be accepted by you as to the future management of Stoke Industrial School.

In the last paragraph of your letter you ask for reasonable time to enable you to make the necessary improvements. So far as alterations in the buildings are concerned, reasonable time may fairly be allowed; but as regards the other conditions I must request you to give me your assurance that they will be fulfilled at once, and without any delay.

The Very Rev. Dean Mahoney, Wellington.

Yours, &c.,
W. C. WALKER.

COMMISSIONS.

RANFURLY, Governor.

To all to whom these presents shall come, and to ROBERT SMELT BUSH, Esq., Stipendiary Magistrate, and to HERBERT SAMUEL WARDELL, Esq., Justice of the Peace, greeting:
WHEREAS it is desirable to make inquiry into the management of the St. Mary's Industrial School for Boys at Stoke, Nelson: Now, therefore, I, UCHTER JOHN MARK, Earl of Ranfurly, the Governor of the Colony of New Zealand, in pursuance and exercise of

every power and authority enabling me in this behalf, and with the advice and consent of the Executive Council of the colony, do hereby appoint you, the said Robert Smelt Bush and Herbert Samuel Wardell, to be Commissioners for the purpose of inquiring into and reporting on the management of said school, and the treatment of the inmates thereof, within the last two years; for which purpose you are hereby empowered and directed by all lawful ways and means to examine and inquire into every matter and thing touching and concerning the premisses, in such manner and at such times as you may deem expedient, and in the course of the said inquiry to examine into any other matter or thing that may be preferred, in writing or otherwise, before you in any way relating to or arising out of the premisses.

And you are hereby authorised and empowered to have before you, and examine on oath or otherwise, as may be allowed by law, all witnesses and other persons whom you shall judge capable of affording you any information touching or concerning the premisses.

And I do further require you, within thirty days from the date of these presents, or as much sooner as the same can conveniently be done (using all diligence), to certify to me under your hands and seals your several proceedings and your opinion touching the premisses, together with such recommendations and suggestions therein as to you may seem necessary or fit.

And I do hereby declare that this Commission shall continue in full force and virtue, and that subject to these presents you, the said Commissioners, shall and may from time to time proceed in the subject-matters hereof at such time and times within the prescribed limits as you shall judge convenient.

And I do hereby further declare that this Commission is issued subject to the provisions of "The Commissioners' Powers Act, 1867," and "The Commissioners' Powers Act, 1867 Amendment Act, 1872."

(L.S.) Given under the hand of His Excellency the Right Honourable Uchter John Mark, Earl of Ranfurly; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies; and issued under the Seal of the said Colony, at the Government House, at Wellington, this twentieth day of July, in the year of our Lord one thousand nine hundred.

W. C. WALKER.

In Executive Council—J. F. ANDREWS, Acting-Clerk of the Executive Council.

RANFURLY, GOVERNOR.

To all to whom these presents shall come, and to ROBERT SMELT BUSH, Esq., Stipendiary Magistrate, and to HERBERT SAMUEL WARDELL, Esq., Justice of the Peace, Greeting:

WHEREAS by Commission dated the twentieth day of July, one thousand nine hundred, you, the said Robert Smelt Bush and Herbert Samuel Wardell, were appointed Commissioners for the purpose of making an inquiry into the management of the St. Mary's Industrial School for boys, at Stoke, Nelson, and were directed to report on the management of the said school and the treatment of the inmates thereof during the period of two years next preceding the date of the said Commission: And whereas it is expedient that the aforesaid period of two years should be extended.

Now, therefore, I, UCHTER JOHN MARK, Earl of Ranfurly, the Governor of the Colony of New Zealand, in pursuance and exercise of every power and authority enabling me in this behalf, and with the advice and consent of the Executive Council of the said colony, do hereby direct and empower you, the said Commissioners, to inquire and report on the management of the said school and the treatment of the inmates thereof during the period of five years next preceding the date of the said Commission, in lieu of two years as specified therein:

And I hereby declare that these presents shall be deemed to be incorporated with the said Commission as part thereof.

(L.S.) Given under the hand of His Excellency the Right Honourable Uchter John Mark, Earl of Ranfurly; Knight Commander of the Most Distinguished Order of Saint Michael and Saint George; Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies; and issued under the Seal of the said Colony, at the Government House, at Wellington, this sixth day of August, in the year of our Lord, one thousand nine hundred.

W. C. WALKER.

Approved in Council.—F. J. ANDREWS, Acting-Clerk of the Executive Council.

MINUTES OF EVIDENCE.

NELSON.

THURSDAY, 26TH JULY, 1900.

GEORGE MALCOLM ROUT, Land Agent, examined on oath.

1. *Mr. Harley.*] You are Chairman of the Nelson Charitable Aid Board?—I am.
2. You know St. Mary's Orphanage?—Yes, very well.
3. Have you been there frequently of late years?—Yes, on several occasions. I do not know how many.
4. *Mr. Wardell.*] During what period?—The last ten years.
5. Frequently during the last ten years?—Yes.
6. *Mr. Harley.*] And also during the last two years?—Yes, more frequently.
7. Are there many boys kept there?—A considerable number. They average between 125 and 200.
8. What age do they appear to be?—Some are young; they look about six, and upwards.
9. Do you know what management the school is under? Men or women?—I have never seen any women there, and I feel sure there are none.
- Mr. Fell:* I may shorten this at once by saying that the school is under the management of the Marist Brothers.
10. *Mr. Harley.*] Do you remember making a visit to the Orphanage in May last?—I do.
11. Who went with you?—Mr. Piper, yourself, and Mr. Heyward, Relieving Officer to the Board.
12. What time of the day did you go?—We left town shortly after ten, so far as I remember.
13. *Mr. Wardell.*] What day was it?—Wednesday, 30th May last.
14. *Mr. Harley.*] What position do these particular members of the Board hold?—They are the sub-committee of the Board, composed of the town members representing the City Council of Nelson.
15. Will you tell the Commission what you saw and what took place on that visit?—When we arrived we knocked at the door, and Brother Augustine, the second in charge at the institution, came to the door. He knew me and addressed me by name, and I introduced him to the other members of the Board, not knowing whether he knew them or not. I told him the reason of the visit—that we had come to make a thorough inspection of the institution.
16. Did you assume that you had the right to make this visit?—Yes, as Chairman of the Board, I thought I had a legal right to make an official visit.
17. And you proceeded upon the inspection on that assumption?—On that assumption.
18. *Mr. Wardell.*] Did Brother Augustine comply with your wish and take you round?—Yes, he took us round.
19. *Mr. Harley.*] Whom did he take upstairs?—Mr. Piper and myself.
20. What became of the other two?—They went into the school grounds to interview the boys—at least I presume for that purpose. They were talking to the boys.
21. And what did you and Mr. Piper do?—We went upstairs and proceeded to the dormitory in the middle of the building. After we had been in that for a moment I said to Brother Augustine, "We have come to-day to make a thorough inspection, and I would like to commence at the south end and make a systematic inspection from one end to the other." He said, "All right," and we proceeded to view the dormitory at the south end of the building, I take it that, roughly speaking, the building runs north and south. After leaving this dormitory the Brother walked slightly in advance of us past one or two doors. I asked him to wait a minute and kindly open the doors he had passed, so that we could see every room. He said, "I cannot show you in these rooms," or "into that room." He said "It is locked." That was the first room from the dormitory.
22. Which room is that in position?—It is the room between the passage and the tower. It is used as a store-room. Brother Augustine, after saying the room was locked, said, "It only contains the Brothers' private effects." I said, "You must not have locked rooms in a public institution."
23. You did not get into this room?—No; we were told that the keys were away from the institution. We expressed disappointment and annoyance at finding the rooms locked and the keys away.
24. Did he say who had the keys?—Yes; he said Brother Loetus had them, and that he was in Nelson.
25. Did you go through any other rooms?—Not then; we walked down stairs.
26. Were you looking for anything in particular?—Yes, for boys in confinement.
27. Did you tell the Brother that?—Not then.
28. You went down stairs. Where did you go then?—We joined Mr. Heyward and yourself in the school-grounds.
29. What was the next step?—Whilst standing in the school-grounds we saw a window upstairs open exposing iron bars.

30. Was Brother Augustine's attention drawn to it?—Yes.

31. What did he say?—He said, "The room is used for photographic purposes." I asked him what the bars were for. He said, "To prevent the boys from stealing the contents of the room."

32. Did you go upstairs to see?—Yes. Mr. Piper told Brother Augustine that it seemed absurd that the boys should go up to such a height to steal. He said there were ladders about the place.

33. Were you taken to the room?—Yes; Brother Augustine said, "Would you like to see the room?" We said "Yes." We found the room contained a camera and a small table.

34. No boy in it?—No; but it was evidently built and intended to be used as a cell.

35. You saw some cells afterwards?—After leaving this room we were immediately opposite the room which was locked.

36. Who were there then?—The four of us were there together. We expressed annoyance and disappointment at finding the door locked. Brother Augustine said he could not help it, as Brother Loetus had the keys away.

37. Did you ask him what was in the room?—Yes. Before you came on the scene I asked Brother Augustine whether they had boys in confinement.

38. *Mr. Wardell.*] Will you give the exact question put?—Yes. I said, "Have you rooms where boys are confined for punishment?" He replied, "We have no rooms used for such purposes, and boys have never been confined in rooms by way of punishment. The only punishment is such as schoolmasters administer."

39. *Mr. Harley.*] What did you do then?—Mr. Piper repeated my question, and Brother Augustine very emphatically said that boys had never been confined in rooms, and that there were no rooms for such purpose. We wanted to get admission into this room if possible.

40. *Mr. Wardell.*] Were you present when the reply was given to Mr. Piper?—Yes.

41. *Mr. Harley.*] Well, what followed?—I asked the Brother if he could produce two boys who had absconded about a week before. He said, "I cannot produce them." I said, "Why?" He replied, "They are somewhere about the grounds, I suppose." I told him then that our visit was in consequence of information received to the effect that boys were confined in cells on the premises. "I added, "We are fairly sure there are boys here at the present time confined in cells, and that the statements we have just heard are not altogether correct.

42. *Mr. Bush.*] You mean to say the statements you heard from that Brother?—Yes.

43. *Mr. Harley.*] You told him so?—Yes.

44. What did he say to that?—He said, "Well, I must confess, there are two boys in that room," pointing to the door.

45. Well, what then?—Mr Harley asked whether the boys were confined separately or together. The Brother replied, "Together," and that they never confined boys separately. I said, "Now that you have admitted that much, will you show us into the room now?" He replied, "I really cannot. The keys are in town with Brother Loetus." Mr. Heyward called under the door to the boys to see if he could get any speech with them. He got no reply. We again expressed annoyance at finding the doors locked. I told Brother Augustine that we would return on the following morning, at 9 o'clock, and that we wished him to inform Brother Loetus that we desired him to be present with the keys at that hour. We went downstairs, and proceeded to drive home. After going three or four hundred yards from the building we met Brother Loetus, returning from Nelson. We returned to the building with Brother Loetus. When he alighted from his trap I advanced to meet him, and shook hands with him. I told him the object of our visit; that we had seen certain rooms, and found other rooms locked, and that we had been told he had the keys. He said, "You cannot see those rooms; they contain the Brothers' private effects." Mr Piper then interrupted and said, "The Chairman might just as well have told you what has happened. We don't want any more lies told," or, "We have heard enough lies already." Mr. Piper added, "We want to see the inside of that room." Brother Loetus walked straight away, took us upstairs to the room that was locked, and opened the door.

46. What did you find when the door was unlocked?—We found it to be a store-room, about 18 ft. long. It contained shelving, with boots and other things on the shelves.

47. Was there any door leading out of this room?—Yes. There was a door at the end leading into another room under the tower and overlooking the grounds. In this second room there was a cell.

48. In which corner was the cell?—In the north-west corner.

49. What were the dimensions of this cell, and how was it made?—It was about 7 ft. x 4 ft. There was a window in the room.

50. *Mr. Bush.*] Do I understand the window referred to was in the room containing the cell, and not in the cell itself?—Yes.

51. *Mr. Wardell.*] Was there any window to light the cell?—Yes; a small opening.

52. About what size?—About 15 in. to 18 in., with iron bars.

53. *Mr. Harley.*] Was the cell locked?—Yes; I can almost swear it was an iron door with an iron lock. I took it for granted it was an iron door, it was so heavy.

54. How was it locked?—With an iron bar and a padlock outside.

55. Was this cell opened?—Yes, by Brother Loetus.

56. What was inside?—A boy named James Maher.

57. Was there any furniture in the cell?—There was nothing but a tin bowl.

58. No chair?—No chair. The boy was in his stocking-feet, with no boots, and his boots were not in the cell.

59. Was he otherwise fully clothed?—Yes; he had his ordinary clothes on.

60. *Mr. Wardell.*] Was there no seat or table?—No; nothing but a tin bowl, which I suppose was for the purpose of relieving nature.

61. *Mr. Bush.*] Was there nothing to sleep in?—Upon being questioned Brother Loetus said that a mattress lying outside the cell was thrown in at night.

62. *Mr. Wardell.*] Did he use the word “thrown” or “put in”?—I think he used the word “thrown.” I am almost sure he did.

63. *Mr. Harley.*] Did you examine the bedding?—No; there was a mattress stuffed in a recess outside the cell.

64. Can you say whether the cell was light or dark?—Well, it was sufficiently light to read in during the greater part of the day if you stood by the opening. The rest of the cell was of course fairly dark.

65. What was about the height of the cell?—About 6 ft. 6 in. or 7 ft.

66. How far was the opening from the ground?—About 3 ft. or 4 ft.

67. Did you speak to the boy?—Yes; he began to cry as soon as the door was opened.

68. Did you ask him questions?—We asked him his name and age. He said his name was James Maher, that he was fourteen years of age, that he had been in the cell day and night for eight days, since the previous Wednesday. We asked him what he had to eat. He said, “Bread and water for breakfast and tea, and the same as the other boys for dinner.”

69. Did you ask him if he was punished in any other way?—Yes; he said he had been thrashed over the hand, I think.

70. Did you ask him how many times?—Yes; he said four or six times during the time he had been in the cell.

71. Did he say what with?—Yes; a supplejack.

72. Did you examine his hands?—No.

73. Did you see any bread there?—Yes; I saw a piece in the cell.

74. What was it like?—It was about three-quarters of an inch thick, and had the appearance of having had something spread upon it.

75. *Mr. Bush.*] Was it brown bread?—No; white bread.

76. *Mr. Harley.*] Was it treacle spread over it?—It may have been, but there was very little of it; it was slightly brown.

77. And Brother Loetus was there all the time?—Yes.

78. Did you see the dinner brought in while you were there?—Yes.

79. Did you notice what the dinner was?—It looked like boiled potatoes mashed up, with a few pieces of meat in it.

80. *Mr. Wardell.*] Did you examine it?—No; Brother Loetus told the Brother who brought it to take it away.

81. *Mr. Harley.*] What is that dish commonly known as?—Irish stew, I suppose.

82. *Mr. Wardell.*] You would describe it as Irish stew, I suppose?—Yes.

83. *Mr. Bush.*] Did you say Brother Loetus ordered the food to be taken away?—Yes. He said, “Take it away for a few minutes; do not interrupt. Put it in the store-room.”

84. *Mr. Harley.*] You do not intend to imply that the boy was not fed that day?—No; I do not know whether he had dinner or not.

85. Did Brother Loetus make any observations as to the boy being there?—No. The boy made his answers to our questions while Brother Loetus was there. Brother Loetus said the boy’s whereabouts had been discovered through a letter sent, and opened at the institution. He also said that boys were confined for a period equal to the time they had been away as absconders.

86. Was there any other cell in this room?—No.

87. Was there any other boy in the cell?—No.

88. *Mr. Wardell.*] Did you ask the boy whether he had been out at all during the week?—I said: “How long have you been in this cell?” He said he had been in day and night since the previous Wednesday. I assume that he must have been taken out to be caned.

89. But there was no direct question on this point?—No. I told Brother Loetus we wished to see any other boys who were confined. He took us to another cell on the ground-floor, some considerable distance from the cell already mentioned.

90. *Mr. Harley.*] Did he open the door of this cell?—I think it was already unlocked. There were two or three Brothers standing round it.

91. What was inside the cell?—Another boy, named Albert James.

92. How was this cell built?—One side of it was the side of the building. The first cell was built like a box—in the corner of the room.

93. Might this cell have been used for a cupboard?—I do not know. It had a window with iron bars; but I do not think it was a full-sized window, though it was larger than the opening in the first one.

94. Was there no furniture?—No; nothing but a tin bowl. The boy was fully clothed, but without boots.

95. Did you ask him how long he had been there?—Yes; he said he had been there the same period as Maher—since the previous Wednesday.

96. Was he the companion of Maher in the runaway?—Yes.

97. Did you ask him if he had been thrashed?—Yes; his answers were similar to those given by Maher.

98. *Mr. Wardell.*] Did you ask him how he had been thrashed?—Yes, he said he had been caned over the hands with a supplejack.

99. *Mr. Harley.*] Did anything further occur there?—Yes; the name of the boy Skilton was brought up. He had run away on several occasions. I said to Brother Loetus, “I understand Skilton has been locked up for four months.” He turned to some Brothers standing near and said, “Would it be that long?” One Brother, whose name I do not know, replied, “No; it would be a little over two months.”

100. Did anything else happen?—Nothing that I remember. But we expressed strong disapproval at the system of solitary confinement. I told Brother Loetus we wished the boys liberated at once, and he promised to do so.

101. Do you remember whether anything was said about repeated canings?—Each boy said he had been thrashed—one said every day, I think, and the other four or six times.

102. *Mr. Wardell.*] Did you examine the second boy's hands to see if they were lacerated?—No; I do not remember doing so.

103. *Mr. Harley.*] Did you see the boys at the midday meal?—Yes; I think we saw them then.

104. What were they having?—They were having this Irish stew—mashed potatoes, with very little meat in it.

105. Did you taste it?—No; it did not look very tempting. It was mostly potatoes. It was fairly brown. It had not the appearance of being appetising food.

106. When you went out into the yard, before going upstairs a second time, did you see any boys there?—Yes, about a hundred or a hundred and fifty perhaps.

107. How were they clothed?—Very poorly, and not similarly. They were in all sorts and sizes of garments.

108. *Mr. Wardell.*] And all colours, I suppose?—Yes; some had toes through their boots, and some had their hair through their hats.

109. *Mr. Harley.*] Did you notice anything peculiar about the material from which the clothes were made?—No, I did not examine it; but it looked poor material.

110. Could you say whether they wore undershirts?—No. Some of the boys had their coats buttoned close up to the chin. I could not see whether they had waistcoats on.

111. What was your opinion of the clothing generally?—That it was extremely poor.

112. What did you do after this inspection?—We reported to the Board.

113. You did all this under the assumption that you had a right to do it as an official visitor?—Yes.

114. *Mr. Wardell.*] You have since found that you have not that right?—Yes.

115. You have claimed an official status during the whole of the ten years you have been in the habit of visiting the school?—During the last two years during which I have been Chairman of the Board. I had previously been there as a member of the Board, and also privately.

116. Did you consider you had a right to make an official visit?—Only during the last two years as Chairman of the Board.

117. Did the previous Chairman do it?—Yes; I think all Chairmen have done it.

118. *Mr. Harley.*] During the whole of these years the visits have been made?—Yes.

119. You have received frequent communications to the effect that the form of punishment at the school was not right?—Yes. We made several visits to try to ascertain whether there was any truth in the statements.

120. On previous occasions have you found any reason for fault-finding?—Never before.

121. Had you ever seen any cells before?—No; I did not know they had them.

122. Had you ever seen any boys undergoing punishment?—No.

123. Had you ever before seen them in such a condition as regards clothing?—Yes; I saw them better clothed on one occasion, and equally as poorly on other occasions.

124. On this occasion—that is, in May—was any information given to the institution of your intended visit?—No; every care was taken that nothing should be known. It was intended to be a surprise visit.

125. *Mr. Wardell.*] Have your previous visits, or any of them, been surprise visits?—They were intended to be surprise visits, but information leaked out and we were foiled. On the 8th February last we made a surprise visit, when they had no knowledge of our coming.

126. *Mr. Harley.*] When you got there on the 8th February, was anybody there?—When we got there we saw Brother Loetus, and told him that we wished to make an inspection without being first entertained as on previous occasions. He said, "Very well; I will show you round."

127. Did you find things satisfactory?—We found everything all right, and made an entry in the visitors' book to that effect. We found out afterwards that special preparation had been made for the visit of a Bishop from Australia, who was there on that day, and to whom we were introduced.

128. On your previous visits, did you discover any irregularities?—No.

129. Can you describe the ordinary visits?—Yes. On arrival we were taken into the reception room and treated to a cup of tea or a glass of whisky. There was always some delay occasioned; but after having the refreshment we inspected the building. We were taken into the chapel, the dormitories, dining-room, and class-room, and shown a great deal; but no cells.

130. What was the appearance of the boys then? About the same as you found them last May?—Yes; about the same. Not very satisfactory.

131. In what way?—The boys were poorly clad on most occasions.

132. Was that the case on the 8th February?—No; the boys were well clad then. In fact, I told Brother Loetus that they had too much clothing on, and that it would be better on such a hot day to let them go bare-footed.

133. *Mr. Fell.*] I understand that, apart from this cell business, you complain of the boys being poorly clad and poorly fed?—Yes.

134. Had you ever been to the meals before the 30th May?—I may have been; I do not think so.

135. Then, as to the previous feeding you know nothing?—No; not from my own knowledge.

136. Do you know from any other knowledge?—From hearsay, I know a good lot.

137. When did you first become aware of the complaints as to food?—Two or three years ago I heard something.

138. Was it favourable or unfavourable?—Very unfavourable.
139. Did you think the food you saw on 30th May was worse than that seen on previous occasions?—No.
140. Did you consider the boys poorly clad for May?—Yes; the clothing was insufficient in quality, thickness, and so forth.
141. When did you first notice the clothes?—On my first visit some years ago.
142. Is the clothing becoming better or worse?—I do not think it is very much changed.
143. The boys have been both ill-fed and ill-clothed for some time past?—Yes, in my opinion.
144. How often have you been in the habit of visiting the institution?—Perhaps twice a year. I have been twice this year.
145. I suppose the Board expects you to keep yourself properly informed on the subject?—Yes.
146. When did you first mention to the Board the poor clothing and food?—I do not remember. It has been mentioned and talked about for the last year or two.
147. *Mr. Wardell.*] Did you ever in any capacity, verbally or in writing, bring under the notice of the Board prior to your visit in May last, that in your opinion the boys were poorly clothed and fed?—I have given my opinion and discussed the matter.
148. Have you ever brought it officially under the notice of the Board?—I do not remember that I have introduced it. But it has been mentioned and discussed.
149. *Mr. Fell.*] Have you ever made any representations to that effect to either Dean Mahoney or Brother Loetus?—No; not that I am aware of.
150. *Mr. Bush.*] Nor did your Board officially communicate with the managers of the institution?—No, it did not.
151. *Mr. Fell.*] Had you made any complaint to the management upon any ground whatever until May last?—No. I think not.
152. Have you ever on any occasion suggested to Dean Mahoney or Brother Loetus any complaint as to the management of the school?—No. I may have had occasion, but have not done so.
153. Then the first time you have officially complained was on the visit of 30th May?—Yes; that was the first official complaint made.
154. Are you aware whether after your visit effect was given to your complaint by the boys in confinement being liberated?—I do not know; but we were promised that they would be liberated.
155. This is the first time you have complained?—Yes. We never had evidence before.
156. Pardon me; you say the boys have been poorly fed and clad for the last two years?—Yes; but we had no direct evidence.
157. But you never went to a meal there?—No.
158. Did you ever notice on a visit that the boys showed signs of sickness, ill-health, emaciation, or anything else?—The boys looked very healthy.
159. Is it not a fact that throughout the boys are very healthy?—I believe they are.
160. I notice under date of 8th February in your writing an entry in the visitors' book signed by yourself and other members of the Board as follows:—(reading from the visitors' book): "8th February, 1900.—The members of the Hospital and Charitable Aid Board have this day paid a surprise visit to this institution, and are very pleased with what they have seen. The boys appear healthy, happy, and well cared-for, and reflect very great credit on the manager of the Institution, Brother Loetus." That is in your writing?—Yes.
161. At that time you were of opinion that the boys were poorly clad and fed?—They were not on that day. I have already explained why.
162. How were the boys generally clad?—They were generally prepared for visitors, and, of course, looked all right.
163. *Mr. Wardell.*] You say the boys looked happy and well? That could not be done by preparation?—No. That would not be so.
164. *Mr. Fell.*] There is another entry in the book in your writing. (Entry read.)
165. *Mr. Wardell.*] What is the date of that entry?
166. *Mr. Fell.*] The 12th February, 1896.
167. *Mr. Harley.*] This raises the question of the two years' limit. I am quite willing for it to go in, but would like to know whether this evidence is to be admitted.
168. *Mr. Bush.*] We don't want anything beyond the two years.
169. *Mr. Wardell.*] No; neither from one side nor the other.
170. *Mr. Fell.*] My object was to show that the witness's evidence was tainted, and that on previous occasions he said he found everything satisfactory, whilst he now says he has always been of opinion that the boys were poorly clad and fed.
171. Entry disallowed.
172. *Mr. Fell.*] During the whole of the time you have been Chairman of the Board no entries have been made in the visitors' book showing that you have not been satisfied?—There is only one entry, and that is a favourable one. On previous occasions we refrained from making entries.
173. Why was that?—We did not wish to make entries that were not true.
174. Why did you not make entries? Was it to screen the management?—No; we did not wish to say things which were not true.
175. You say that all this time during the two years you knew the boys were ill-fed and ill-clad, and yet you made no complaint or representation?—No; we had no status, and it would have had no effect if we had made a complaint.
176. But you thought you had a status and yet you made no complaint. You say now that all these visits were not in effect surprise visits, because the management were always informed of them beforehand. How do you know this?—On one occasion Mr. Everett, who was Chairman of the Board, told Father Mahoney.

177. *Dean Mahoney.*] No! no!
178. *Witness.*] Well, perhaps I am mistaken. But I have heard that Father Mahoney had been informed.
179. *Mr. Fell.*] What reason have you to suppose that information had been given? Do you mean there were traitors who let the fact out?—I do not mean that there were traitors, but I have had reason to suspect that our visits were not surprise visits.
180. On all these surprise visits you found things in good order?—In fairly good order.
181. Which Brother did you first see on the 30th May?—Brother Augustine.
182. Was he the only one you saw?—The only one with whom we had conversation.
183. How long were you there before you saw Brother Loetus return?—About two hours; from about 11 to 1.
184. And all this time was occupied in arguing about the rooms, &c.?—Yes.
185. You are sure that your recollection in the matter is correct?—Yes. Correct, I believe, in every particular.
186. Did you report the matter to the Board as fully as you have stated it here to-day?—Yes; we reported to the Board in writing.
187. Who drew up the report?—I did.
188. I suppose you stated in the report all that you have told us to-day?—Yes; it was written shortly after our return, whilst it was fresh in our memory.
189. How many of the late boys have you seen since the 30th May? You have made it your business to interview them, I believe?—I have interviewed none, but several boys have interviewed me.
190. *Mr. Wardell.*] How many boys have you seen, or have seen you?—The best part of twenty—roughly speaking.
191. *Mr. Fell.*] Are these all past boys?—Mostly. I have only seen one resident inmate.
192. *Mr. Bush.*] And did all these boys come to see you of their own accord?—Yes. Most of them.
193. *Mr. Wardell.*] Was the visit of these boys paid to you of their own free will, or did you ask them?—About fifteen came of their own free will. Others I may have asked if they had anything to say.
194. What made them come? Had anything appeared in the newspapers?—Yes. They came in consequence of what they saw in the newspapers.
195. *Mr. Fell.*] Do you know an inmate of the school named Lynch?—Yes. I have seen him once.
196. How came he to see you?—He brought me a letter from Dr. Mackie, by whom he is employed.
197. And you had a conversation with him on the matter of this inquiry?—Yes.
198. Can you give the purport of the conversation?—I can give it word for word. (Witness proceeded to read a written statement).
199. *Mr. Wardell.*] You had better not proceed with that statement. Do I understand that you took it down from the boy at the time?—Yes.
200. *Mr. Wardell.*] Very well. It may be used some other time, but not now.
201. *Mr. Fell.*] Did you tell that boy that if any boys were beaten they were to let you know, and that they were to run away in a mass?—No; I did not. I told the boy to let me know if they were threatened with punishment for giving evidence.
202. And you did not tell him to tell the boys they were to run away in a mass?—I most emphatically deny that.
203. *Mr. Wardell.*] Is there anything else you would like to say?—Yes. On a previous occasion when I visited the institution, in company with Mr. Heyward, he complained in my presence of the clothing of the boys. As Relieving Officer, it was his duty to inspect the institution.
204. Was this within the last two years?—Yes.
205. Was that complaint entered in the books?—Yes; in our books.
206. But in the books of the institution?—No.
207. Do you remember the nature of the complaint?—I heard him complaining about boys being poorly clad. I do not know the exact nature of the complaint.
208. How do you know a complaint was made if you do not know the nature of it? You did not pay particular attention to the nature of the complaint?—No.
209. *Mr. Harley.*] When was this?—In October or November last. I am not sure of the month.
210. It has been suggested that your evidence is tainted. Have you any ill-will towards Dean Mahoney?—No; none. I have the greatest respect for him.
211. Are there any business relations between you and Dean Mahoney?—Yes. Our firm are agents for him, and have been for some years.
212. What are your reasons for moving in this matter?—I consider it to be a public duty, though a painful one.
213. *Mr. Bush.*] We understand you went on this visit in May for the purpose of inquiring into the form of punishment?—Yes.
214. You did not inquire whether the boys had sufficient means for washing, or whether their clothes were changed at proper intervals?—No; we did not inquire into those particulars.

THOMAS LANE, examined on oath.

215. *Mr. Harley.*] How old are you?—Seventeen.
216. You are an inmate of St. Mary's Industrial School at Stoke?—Yes.
217. When were you let out?—A year ago in May.
218. *Mr. Wardell.*] You were licensed out by the school to work?—Yes.
219. *Mr. Harley.*] Where did you go to work?—To Mr. Chas. Baigent's, at Pigeon Valley.
220. When did you leave there?—A little while after I went there.
221. Where were you sent to next?—To Mr. Hailes's, at Takaka.
222. How long were you at the institution?—About six or seven years.
223. How were the boys punished during the last year you were there?—By caning across the hands.
224. Were many strokes administered?—Yes; sometimes.
225. How many at a time?—I have seen forty.
226. At once?—Yes.
227. *Mr. Wardell.*] That would be twenty on each hand?—Yes.
228. *Mr. Harley.*] What were you caned with?—A supplejack.
229. Were the boys thrashed in any other way?—They used to flog them when I first went there.
230. *Mr. Wardell.*] Never mind about that. It is over two years ago.
231. *Mr. Harley.*] Do you know of any cells in the institution?—Yes.
232. How many do you know of?—I know of three.
233. Where were they when you were there?—One downstairs and two upstairs.
234. Have you ever been in any of them yourself?—No.
235. *Mr. Wardell.*] You have heard of them?—Yes.
236. *Mr. Harley.*] Have you ever seen them?—Yes.
237. Were the boys put in them during the last year of your time?—Yes.
238. Could you name any boys who were put in them?—Yes; Lowe, Maher, and Willis.
239. *Mr. Wardell.*] Are those the only ones you know of during the last year you were there?—Yes.
240. Can you tell which rooms they were put in? Which cell was Lowe in?—He was in the downstairs one.
241. And Maher and Willis?—They were in the lower one, too.
242. Was any boy that you know of put in the upper cell during your last year?—No.
243. *Mr. Harley.*] Do you know the time they were there? How many days?—Lowe was in about two months, I think. He was let out for examination.
244. *Mr. Wardell.*] Whom was he examined by?—By Mr. Harkness.
245. *Mr. Harley.*] He is the Government School Inspector?—Yes.
246. *Mr. Wardell.*] Was that the termination of his confinement?—Yes.
247. Did you see him out during the time he was in?—I saw him scrubbing the cell out.
248. *Mr. Harley.*] Were you punished by kneeling during the last year you were there?—Yes.
249. How long were you put upon your knees at a time?—About an hour.
250. Is that painful?—Yes, after half an hour.
251. What did you have for dinner?—Irish stew on every day except Friday.
252. What did you have on Friday?—Potatoes boiled by themselves and a bit of dry bread. If they were short of potatoes at any time we had curry and rice.
253. Did that happen often?—Not very often.
254. Then, except on Friday, you had Irish stew?—Yes; Friday was a fast day.
255. Did that go on all the year round?—Yes.
256. What did the Irish stew consist of? Do you know?—Yes; I had to help make it.
257. Well, what was it made of?—About two buckets of water, with four or five buckets of potatoes, and two soup-tureens full of meat, all put in a copper.
258. Was anything else put in it?—Sometimes some cabbage, and sometimes carrots.
259. Were the cabbages and carrots put in regularly?—Not very often.
260. Was any seasoning put in?—Yes; pepper and salt.
261. Was this all boiled up in one pot together?—Yes, in a copper.
262. Who superintended the making of it?—I made it myself, and had to look after it. I was cook for about three months.
263. And did you alone make Irish stew for the whole of the three months?—Yes.
264. Were the potatoes peeled?—They were scraped.
265. Were they scraped sufficiently to get their jackets off?—Not always.
266. Were they scraped white?—No.
267. *Mr. Wardell.*] You were cook; why did you not make the boys do it properly?—I used to tell them to; but if they did not have it done by ten o'clock, they would drop in for it.
268. *Mr. Harley.*] What was the meat?—Mutton; sometimes beef.
269. Which did you have most of?—Mutton.
270. And one of the boys killed the sheep?—Yes.
271. Who brought it to you? One of the Brothers cut it up, and I cut it into small pieces.
272. Did any Brother watch you do this?—Yes; Brother Patrick would be there some of the time.
273. Was this one copper full sufficient for all the boys?—Yes.
274. How was it taken to them in the dining room?—In dishes and soup-tureens.
275. You said two tureens full of meat. Can you give any idea of the size of the tureens?—They were about a foot long and a foot high. (Indicating by the hands.)

276. How much mutton was used?—They killed two sheep every day.
277. Were they all consumed by the boys?—No; not all. The hind legs were taken off for the Brothers and men.
278. And you had the rest for the soup?—Yes.
279. What did you do with the bones?—The bones and all went into the stew.
280. *Mr. Wardell.*] Was your cooking done in the same kitchen as the Brothers? Yes. Brother Patrick did the cooking for the Brothers.
281. *Mr. Harley.*] What did you have for breakfast?—Every second morning a bit of porridge, and one bit of bread.
282. What sort of porridge was it?—Not very good.
283. Who made this?—I did. We had so much oatmeal in a soup-tureen. That was put in the copper with water.
284. *Mr. Wardell.*] Was the porridge thick or thin?—Thin.
285. *Mr. Harley.*] What was the size of the piece of bread you got?—About three-quarters of an inch thick, cut off a tinned loaf.
286. Was there any butter on the bread?—No.
287. Nothing at all?—A bit of grease sometimes.
288. What sort of grease?—Suet or fat boiled down in the copper.
289. Was there anything else?—No; that was all.
290. What colour was it?—Brown when it was done.
291. How did you spread the fat on the bread?—We had a pan of it. We dipped one piece of bread into the pan and rubbed it against another.
292. *Mr. Wardell.*] Did you do that too?—Yes.
293. *Mr. Harley.*] What did you have on the intermediate days?—Two pieces of bread and tea.
294. *Mr. Wardell.*] When you had porridge and bread did you have anything to drink?—Yes; tea.
295. *Mr. Harley.*] Were the two pieces of bread treated in the same way as at porridge time?—Yes.
296. Did you have any milk with the porridge?—When I was there they did not.
297. Did you have any sugar on it?—Yes; not much.
298. Did you have sugar in the tea?—Yes.
299. What did you have for tea?—Two pieces of bread and tea, all through the week.
300. Pieces of bread like those you had for breakfast?—Yes.
301. Did you have butter for tea?—No.
302. Did you have the fat?—Yes.
303. Done in the same way as in the mornings?—Yes.
304. Did you ever have any jam?—Not often. Some made out of pumpkins; that was all.
305. How long did that last?—About two or three months in the year.
306. When you had pumpkin jam you would not have fat?—Yes.
307. Did you ever get any butter?—Yes; it would be melted first.
308. How was it put on the bread?—In the same way as the fat was.
309. Had you ever pease-soup, or pease in any form?—No. When I first went there they made soup out of the meat for a while.
310. Was that left off latterly?—Yes..
311. Did you ever have any sago, tapioca, maccaroni, or anything of that kind?—No; not that I remember.
312. Did you have any puddings?—Yes; on Christmas Day, Easter Sunday, Easter Monday, and some saints' feast days.
313. On ordinary days did you have no pudding at any time?—No.
314. At what time did you have your meals?—Breakfast at 7.30, dinner at 12, tea at 6 on school days, and 6.30 on other days.
315. Of this Irish stew, bread, &c., did you get enough?—No.
316. You had a certain quantity served out to you first?—Yes.
317. Could you get more if you wished?—Some could; some could not.
318. *Mr. Wardell.*] You were cook; did you not get enough?—When I was cook I got enough, as I had meals with the men; but when I was with the boys I did not have enough.
319. *Mr. Harley.*] Were you ever really hungry?—Yes; plenty of times.
320. *Mr. Wardell.*] Was this before you were in the kitchen or after?—Both before and after.
321. *Mr. Harley.*] When did you go away?—A little while after leaving cooking. About five months.
322. Did you get hungry during that period?—Yes.
323. Did you ask for more?—Sometimes.
324. Did you get it?—When we put up our hands sometimes we would get it, and sometimes not.
325. Have you ever seen boys trying to find food about the place?—Yes; I have seen them eating raw potatoes, carrots, and turnips.
326. Raw carrots and turnips are not so bad?—It helps to fill you up, anyway.
327. Did boys eat raw potatoes from choice?—Yes.
328. Do you like raw potatoes?—They are not bad.
329. Have you ever seen boys getting food in any other way?—Yes; I have seen them stealing apples, meat, and bread.
330. Was there any place where the waste was put from the Brothers' table?—Yes; the scraps were put in the pig-tub.

331. Have you ever seen any of this taken?—Yes; by some of the boys, who ate them.
332. Have you ever seen boys with bones there?—Yes; they used to steal them sometimes out of the kitchen and the safe.
333. Do you say the boys were really hungry about the premises?—Yes.
334. Was this because there was not food enough, or because it was too long between meals?—They did not get enough. Formerly none got enough, but latterly only the little ones did not get enough.
335. *Mr. Wardell.*] Why do you say the little boys did not have enough?—Because they only had one and a half pieces of bread. My brother told me he did not have enough.
336. *Mr. Harley.*] Your brother is there now, is he not?—Yes.
337. Did you have enough clothes?—No.
338. How many suits did you have?—Two; a Sunday and a week-day suit.
339. Were these suits kept separate for each boy?—The special ones they had for visitors they kept separate.
340. Each boy kept his own?—No; they were locked up in the study.
341. *Mr. Wardell.*] That was a special suit?—Yes.
342. *Mr. Harley.*] What about your Sunday suit?—They were kept in presses. They were odd suits.
343. *Mr. Wardell.*] And the working clothes you wore?—Yes.
344. *Mr. Harley.*] When did you put the visitors' suit on?—When any visitors came.
345. How did you know visitors were coming?—The Brothers knew before the visitors came.
346. What did the Brothers do then?—They told us to change.
347. Did you all go and change?—Yes.
348. At these visits did all the boys appear, or only some of them?—They all appeared.
349. What did you do before you went to see the visitors?—Sometimes played in the yard and sometimes we would go into the school.
350. And there, I suppose, the visitors came to see you?—Yes.
351. When visitors were coming, was anything else done?—Yes. We tidied up in the morning. About eighteen attended to the dormitories, and others would be cleaning up the house.
352. Were you nearly all at it?—A good lot would be. Others would be working on the farm.
353. *Mr. Wardell.*] Were some working on the farm when visitors came?—The visitors came in the afternoon. The cleaning up and work was done in the morning.
354. *Mr. Harley.*] This every-day suit of clothes. What condition was it in?—A poor condition.
355. Was it ragged?—Yes.
356. What sort of boots did you have?—Thick boots.
357. Did they keep the water out all right?—Yes.
358. Were they allowed to wear very badly?—Yes.
359. Did you have socks?—Sometimes. Sometimes when we asked for them we would not get them.
360. And what then?—We had to go without.
361. What sort of shirts did you have?—Shirts made of hard stuff, like bags.
362. What colour were they?—Some brown, some blue.
363. Had you undershirts?—No.
364. How many boys had hard shirts?—Nearly all had them. After getting washed awhile they would get soft.
365. You had no undershirts in winter?—No.
366. Had you no underpants?—No.
367. Were the clothes warm enough?—No.
368. Were your own warm enough?—No. I was always cold.
369. Who washed the clothes?—Five of the boys had to do all the washing.
370. Five of the big or little ones?—All sizes had to help.
371. Were they picked out every week?—No. They had to do it a long time.
372. How many washing-days a week did they have?—They washed every day, nearly.
373. You know that hill behind the Orphanage?—The hill they pull the posts down? Yes.
374. Have you been up it yourself?—A lot of times.
375. What did you go up for?—To pull down logs of firewood and fencing; also hop-poles.
376. There is a bush behind the hill?—Yes.
377. How many boys went up?—Nearly all, except those who could not go up, and those who had sore legs.
378. How many trips have you made up there in one day?—Four times.
379. *Mr. Wardell.*] On one or two occasions?—Four times nearly every day; twice in the morning, and twice in the afternoon.
380. *Mr. Harley.*] If it was only morning or afternoon you would go up about twice?—Yes.
381. Was that hard work?—Yes.
382. Very hard?—Yes.
383. You could not do it comfortably?—No. A lot of boys would not carry all the loads, and then they got punished for it.
384. How were they punished?—Sometimes they had to go without tea; sometimes on their hands.
385. What do you mean by on their hands?—They were caned on their hands.
386. Did the boys complain much of this work?—Yes.

387. How were you harnessed up?—With a piece of flax, and sometimes a staple driven in the wood. If the flax wore out we had to carry the wood.

388. *Mr. Wardell.*] If the flax broke you would have to get more?—Yes, if it could be got.

389. *Mr. Harley.*] How far did you bring the wood?—To the foot of the hill where the cricket-ground is.

390. Is that the hardest work you had to do?—Yes.

391. Was it because it was hard work, or because you were sent so many times?—It was hard walking up and down, and because we were sent so many times.

392. *Mr. Wardell.*] Is it steep going up?—Yes, pretty steep.

393. *Mr. Wardell.*: If it is steep going up it must be steep coming down, and hauling ought to be easy.

394. *Mr. Harley.*] The farm work was not very hard?—No. If you have a rest sometimes they punish you. There is always someone watching.

395. But you did not complain particularly of the farm work?—No.

396. Were many punished for the hill work?—Yes.

397. *Mr. Wardell.*] For how long a time had you to do this work?—I might go up on one day, and then perhaps not go again for three or four weeks.

398. *Mr. Harley.*] Those who did not do it properly were punished?—Yes.

399. Did you make the tea?—Yes.

400. How much tea did you put in?—One big handful, put in an oatmeal bag, and left to draw in the water.

401. *Mr. Wardell.*] What sort of a handful?—As much as you could pick up. One of the Brothers put it in the bag.

402. *Mr. Harley.*] How many boys were there?—160 or 180.

403. Were you ever dosed with mustard?—Yes.

404. How long ago?—About two years ago last March.

405. Can you say whether the mustard was used up to the time you left?—It is always being used.

406. *Mr. Wardell.*] Mr. Harley used the word “dosed.” Did you get it to make you sick?—Yes; it made us sick.

407. *Mr. Harley.*] What were you given mustard for?—I do not know what for.

408. How was it given to you?—In a pannikin, with so much water.

409. How did it affect you?—It would burn all your inside, and you would be spewing up all the time.

410. Was that what it was done for?—I do not know.

411. How often was this done?—Whenever any one complained of being unwell, or had a headache.

412. Was it ever done for anything else?—Yes; for a bad leg. A boy, who is in the hospital now, used to get plenty of it for a bad leg.

413. What is that boy's name?—Sullivan.

414. When the boys had been stealing vegetables were they dosed with this medicine?—No.

415. How many Brothers are there at the school?—Ten when I was there.

416. Were they kind to you or otherwise?—Unkind.

417. Were they all alike?—No; there was one good one there.

418. Who was the good one?—Brother Augustine.

419. Do you know where the cemetery is?—Yes.

420. Have you been in it?—Yes.

421. How many graves are there?—I never counted them, but there are five or six.

422. Have you seen any one buried there?—Yes; three.

423. *Mr. Wardell.*] How long were you there?—Six or seven years.

424. *Mr. Harley.*] All the boys used to go to the funeral?—Yes.

425. Did you ever hear any boys asking for more clothes?—Yes.

426. Did they get them?—Not always. Some favourites got them. Others got hammered for tearing their clothes.

427. You are now a hospital patient?—Yes.

428. Brother Loetus called for you this morning?—Yes.

429. You did not come down with him?—No; I came by myself.

430. Why did you not come with him?—I did not want to.

431. Did you receive any caution about speaking about the institution when you left?—No.

432. *Mr. Wardell.*: Brother Loetus was summoned to produce you.

433. *Mr. Harley.*: The summons was issued to Dean Mahoney.

434. *Mr. Fell.*] How old are you now?—Seventeen.

435. Who was paying for you up to the time you were fifteen?—I do not know.

436. You ran away from Mr. Baigent's at Pigeon Valley?—Yes.

437. How long did you stop with him?—About a fortnight, I think.

438. You had to do farm-work there?—Yes.

439. Where did you run to?—To town, where I got a situation at Mr. Townsend's, butcher.

440. After leaving Mr. Baigent, did you go back to the school before going to Mr. Townsend?—No.

441. How long did you stay with Mr. Townsend?—Two or three days.

442. Why did you leave?—Constable Bird and Sergeant Mackay took me back to the school.

443. Where did you go next?—To Hailes's. In July last year.

444. How long did you stop with him?—About four months.

445. What did he do with you?—Sent me back to the orphanage.

446. After that what did you do?—I went to Mr. Allan's.

447. *Mr. Wardell.*] The school authorities sent you there?—Yes.

448. *Mr. Fell.*] How long did you stay there?—About four weeks.
449. What was the matter there?—I went to the hospital.
450. How long did you stop in the hospital?—About three weeks. After that I went back to the Orphanage.
451. What was the next thing?—I went to Mr. Townsend's again.
452. How long did you stay there this time?—Not very long. I got bad, and Mr. Townsend sent me to the hospital, where I have been till now.
453. How long have you been there?—About five months.
454. Were you in the band in the Orphanage.—No.
455. How many are in the band?—Between thirty and forty.
456. Do they teach you lessons—reading, writing, and arithmetic?—Yes.
457. Every morning?—In the afternoons, and on wet mornings. On fine mornings we work.
458. Do you ever work in the afternoons, or get a holiday?—Sometimes we do get a holiday—by being sent up the hill to pull posts down.
459. How many holidays in the year, when you do not do either lessons or work?—At Christmas time there are about four weeks holidays from lessons. Then we work about the farm, take a turn at the hops for about two weeks.
460. Where is the cricket-ground?—Up past the bathing-hole
461. Is the bathing-hole damned up and big enough for swimming?—Yes.
462. Do all the boys go to swim in the summer time?—Yes; nearly every day.
463. How often do you play cricket?—Nearly every day in the season.
464. How long do you play cricket?—From after dinner till the bell goes for school at 1 o'clock.
465. What time does school leave off?—At 4 o'clock.
466. What do you do then?—Play till 5 o'clock, and then go into school till 6.30, or tea-time.
467. When do you bathe?—Between 4 o'clock and 5.
468. What do you do after tea?—Play games in the yard in summer-time.
469. Do you play football in winter?—Yes.
470. Do you ever play matches?—Yes.
471. Against whom?—Some of the boys. They will not let them go out.
472. How do you play?—Against "Wellington," or "North and South."
473. Do they keep cows?—Yes. There were about eight in milk when I was there.
474. What becomes of the milk?—The Brothers get the cream, and we get the skimmed milk.
475. Do you make any butter?—They make butter for themselves out of some of the cream.
476. Do you have milk in your porridge or tea?—I had no milk in the porridge, and not always in the tea.
477. Do the boys milk the cows?—Yes.
478. Who looks after the sheep?—The Brothers.
479. How many have they got?—I do not know exactly, but between eight hundred and a thousand.
480. Do any of the boys help with the shearing?—No.
481. Who kills the sheep for the mutton?—The boys. I did it while I was there.
482. I suppose it was your knowledge of butchering that enabled you to get employment with Mr. Townsend?—Yes.
483. Who does the cleaning at the school?—Some of the boys.
484. Always the same boys?—No; they are sometimes changed.
485. Does each boy make his own bed?—No. Only in Brother Augustine's dormitory.
486. Do the same boys who do the beds do the sweeping and scrubbing?—Yes.
487. Do they do the dining-room?—No; another boy, who is changed about, does that. The boy who cleans up the downstairs and dining-room stops inside.
488. What happens if the beds are not kept clean?—The boys are sometimes punished.
489. Who puts the clothes away after the visitors' day?—Some of the boys who work in the tailors' shop.
490. Who makes the clothes?—The visitors' suit is bought; the other clothes are made by the boys.
491. One of the Brothers is a tailor?—Yes.
492. The boys who work in the tailor's shop do not go out to work?—Sometimes, when the Brother is not in the shop to look after them. There were ten boys in the shop when I was there.
493. When the Sunday clothes are pretty well worn out, what is done with them?—They are worn on week days.
494. Who makes the boots?—They buy them,
495. And I suppose they buy the hats?—Not all of them. Most of them are made there.
496. And the shirts?—They buy a piece of stuff and make it up.
497. You say the clothes are not warm enough. Did you ever tell Father Mahoney that?—No. I heard other boys tell him, and he said he would see the Brothers; but no more was heard of it.
498. What do you sleep in at night? Do you have a night-shirt?—No; we sleep in the same shirt that we wear.
499. Do you have to wash yourselves every morning?—Yes. If there is no water in the lavatory we have to go down to the creek.
500. Who does the general farm-work?—Sometimes the men, and sometimes the Brothers, assisted by the boys.

501. What crops do you grow?—Wheat, oats, barley, hay, peas, and hops.
 502. Is Brother Damien in charge of the farm and the sheep?—Yes.
 503. Who looks after getting the wood down the hill?—Brothers Wilbertus and Cuthbert.
 504. Who is in charge of the museum?—Brother Loetus.
 505. Are the boys allowed in the Museum?—I do not know. I have been in there scrubbing.
 506. Did you ever tell Father Mahoney or Brother Loetus that you did not get enough food to eat?—No.
 507. Do you always get enough to eat?—No.
 508. Why did you not tell them?—I might get a hiding. I have known boys to ask and not get any more.
 509. *Mr. Wardell.*] And you did not tell Father Mahoney or any one else that you were hungry?—No.
 511. Was it before you left to go out to the various employments, or afterwards, that you felt hungry?—Both before and afterwards.
 512. I suppose when you were out you got better food?—Yes, I got good tucker.
 513. Did you expect to be better fed out in employment than in the school?—Yes.
 514. Was it not due to the fact that you had been away from school and better fed, and went back again to the school rations, that made you feel short-fed?—Yes. There was a difference between what I got outside and what I got in the school.
 515. You were hungry, you say, before you went away?—Yes.
 516. What has been your malady in the hospital?—Pains in the stomach.
 517. And you have been in for some months, you say?—Yes.
 518. *Mr. Bush.*] Have you had a dose of mustard at the school during the last two years?—Yes; two years last March.
 519. What for?—Being sick.
 520. Was that the only medicine you had? Did you get anything else in the way of medicine?—Not at that time.
 521. *Mr. Wardell.*] Did any doctor see you at all?—Not during that illness.
 522. You only had mustard once, you say?—Only once then, but plenty of times before that.

ELIZABETH DRUMMOND, examined on oath.

523. *Mr. Harley.*] You live at the Moutere?—Yes.
 524. You are the wife of whom?—James Drummond, farmer.
 524A. Do you remember some Orphanage boys coming to your place?—I overtook two on the road and took them home.
 525. How long ago?—The 13th May last.
 526. What were their names?—Albert James and James Maher.
 527. They were two runaway boys from the Orphanage?—Yes.
 528. How long did they stay with you?—I had them that night, and I got homes for them for the ensuing week, until the following Monday.
 529. Where did they go?—Constable Boyes came from Motueka and took them away.
 530. Whose place did you put them at?—James was put at Mr. Dan Drummond's, and Maher with Mr. Stade, my son-in-law.
 531. They were only at your place one night?—Yes; from the Sunday evening till the Monday morning.
 532. Did you examine their clothes?—I did.
 533. What sort of boots did they have?—James's boots were fair average boots, but Maher's boots were a size or two sizes too small. He had pressed the heel down over the stiffening piece, and this gave them the appearance of bluchers.
 534. Did you do anything to the boots?—I did not; but Mrs. Dan Drummond, thinking there would be no inquiry, burnt them with some rubbish. She gave Maher a pair of boots.
 535. Did you examine the clothing?—I produce Maher's shirt. [Shirt produced]. This is the shirt Maher had on, exactly as it came off.
 536. Where was it taken off?—At Dan Drummond's.
 537. Were you there?—No, I was not.
 538. *Mr. Wardell.*] The shirt is torn right across the front. Is it an old tear?—It is all worn.
 539. *Mr. Harley.*] Were there any buttons round the neck?—There was one button—a trousers button.
 540. What about his other clothes?—He was given a pair of socks at Wakefield by an old lady with whom they stayed the night before. He said the stockings he had on when he left school had no feet to them.
 541. What material was the shirt made of?—A sort of canvas, not calico.
 542. Has anything been done to it since? Has it been washed or anything?—No. I gave him one of my boy's shirts.
 543. What about the other garments?—Maher's trousers were not very bad, but his coat was a mass of rags. It was a pea-jacket. My daughter, Mrs. Stade, mended it for him, and made it tidy.
 544. Did he have a waistcoat, an undershirt, or underpants?—No.
 545. How was the other boy dressed?—His shirt was not bad. It was sound, but very dirty. It was of the same material as the other one. He had a sort of guernsey under his coat.
 546. Were the boys what you would call well clothed?—With the exception of James's shirt and Maher's pants all the clothing was torn.
 547. Did you go to the Orphanage to see the boys?—Yes.

548. Did you see them?—Brother Loetus told me that the boys were out at recreation, and would not be back till six o'clock.

549. Did you notice whether their bodies were clean?—They said they had not been washed for nearly a week.

550. *Mr. Fell.*] On what day did you pick up the boys?—Sunday evening.

551. Did they say how long they had been out of the school?—Yes; since the Friday evening.

552. Where did they stay during the two nights?—In an old shed at Richmond on the first night; with an old lady at Wakefield the second night. They had walked from Wakefield to Lower Moutere on the Sunday.

553. When did you go to the Orphanage?—On the 24th May—Queen's Birthday.

554. *Mr. Bush.*] You did not go back the next day to see the boys?—No. I went on the day named to see if I could get them to come back to the same places again.

555. *Mr. Fell.*] Did you apply to Dean Mahoney?—Yes. He said that they were under age, and that the Government would not allow them to go. We thought that they were two good boys.

JANE DRUMMOND, examined on oath.

556. *Mr. Harley.*] You are the wife of Daniel Drummond, and live at the Moutere?—Yes.

557. You had a boy named James at your places?—Yes; Albert James. He came from the Orphanage.

558. Who brought him to you?—He came with Mrs. Elizabeth Drummond's son, and stayed with me until he was taken away by Constable Boyes.

559. What condition were his clothes in?—Very dirty.

560. Did you wash anything for him?—Yes; everything except his guernsey, which was too ragged to wash.

561. How were his boots?—Not so bad.

562. And the other clothes?—His coat was all rags.

563. Where was the guernsey worn?—On the top of his shirt.

564. Have you got his shirt?—Yes; I produce it. [Shirt produced.]

565. Did you wash it?—I got him to wash it through two washings, and I then washed it myself and boiled it.

566. What is it made of?—Forfar towelling.

567. What is it like when new?—Stiff and hard.

568. Had he any undershirt?—No.

569. What did he do for a shirt?—I lent him one. His own was on the line when Constable Boyes came, but as it was wet he would not take it.

570. Did you consider the boy badly clad?—Yes; badly clad and dirty.

571. Did you see Maher?—Yes.

572. Did you see his clothes?—Yes; I saw them on him.

573. What condition were they in?—The coat was ragged, but the trousers were not so bad. The boots were trodden down at the heels, and he could not put his feet in them properly.

574. *Mr. Wardell.*] Did he tell you how long he had been out?—Yes; since the Friday night.

575. Did you consider the clothing sufficiently warm for the season of the year? I do not attach so much importance to the boy being merely ragged and dirty?—It was not warm enough.

576. That is what you think?—Yes.

ALEXANDER ANDERSON, examined on oath.

577. *Mr. Harley.*] You were for many years an inmate of St. Mary's Industrial School?—Yes.

578. You left there some years ago?—Three or four years ago.

579. Since then you have been back in the institution to work?—Yes.

580. How long ago is it since you went back?—Six or seven months.

581. Did you go back as an inmate?—No. I went back in the employment of the management.

582. How long were you there then?—About seven months.

583. Did you live on the premises?—Yes.

584. Did you see the boys about?—Yes.

585. Did you see any undergoing punishment?—Yes.

586. Did you see who was being punished?—Yes; Charlie Miller.

587. How was he being punished?—He was locked in the cell upstairs under the tower.

588. Did you see him there?—I did not see him, but I heard him being punished several times. I heard him scream from outside.

589. How many times?—Three or four times.

590. Could you hear anything else?—I could hear the stick hitting him.

591. How many blows do you think he received at a time?—A dozen or thirteen.

592. You could not tell what part of the body was getting it?—Only from what I could hear outside.

593. Could you say how long he was in the cell?—I think he was there about five days.

594. Did you see him brought out into the grounds during these five days?—No.

595. Do you know whether he was let out during these five days?—I do not think so. I did not see him.

596. Have you been engaged upon the hill work?—Yes.

596A. Was any hill work going on during the last time you were there?—A little. They were only bringing down hop-poles.

- 597 How many boys were sent up?—About forty or fifty.
598. Can you say whether it is hard work or not?—It was hard work with the posts when I went up, and hop-poles are about the same as posts.
599. *Mr. Wardell.*] How many poles did each boy bring?—Only one; they are 13 ft. or 14 ft. long.
600. *Mr. Harley.*] Is it the load they have to carry or going up the hill so often that makes it hard work?—I think it is both.
601. Can you say of your own knowledge whether it is tiring to go up and down the hill?—Yes, it is.
602. *Mr. Wardell.*] It was heavy work?—Yes.
603. *Mr. Harley.*] It is heavier than other work on the farm?—Yes, I think it is.
604. Were any other boys under punishment while you were there?—I do not think so.
605. Did any boys die while you were there last?—No.
606. *Mr. Fell.*: It will shorten matters, probably, if I state that all the boys (except one, who was buried at Richmond) who have died at the institution have been buried there in a public cemetery.
607. *Mr. Harley.*] Did you have an opportunity to see what the boys had to eat?—Yes.
608. What was it? Irish stew on six days of the week, and potatoes with no meat on Friday.
609. What did they have for tea?—Bread and tea.
610. Every day?—Yes.
611. What did they have for breakfast?—Bread and tea, and porridge and treacle every second day.
612. Did they have milk in their porridge and tea?—Yes.
613. Was it new or skimmed milk?—It was separated milk.
614. Did you feed with the boys?—No; with the men.
615. I suppose the men are fed all right?—Yes.
616. Were you there while Lane was doing the cooking?—Not during the last time I was there.
617. Who did the cooking?—One of the boys and Miller, and Brother Patrick helped.
618. Did you have an opportunity of seeing the boys' clothes?—Yes.
619. Were there any complaints of them not being warm enough?—I never asked when I was there the last time.
620. Did you mix with the boys?—Sometimes.
621. What are their clothes like?—You cannot say they are well dressed. Most of them are ragged.
622. *Mr. Fell.*] Do you know how many suits they have?—I only know of two.
623. Where were you when you heard the boy Miller call out?—I was down the path away from the front of the building. The cell where the boy was overlooked the front of the building.
624. What were you doing?—Sitting down after tea.
625. *Mr. Bush.*] Did you know of the boys complaining of not having enough to eat?—Yes; several of them.
626. *Mr. Wardell.*] During these seven months?—Yes.
627. *Mr. Bush.*] Did you ever give them food?—No.
628. *Mr. Wardell.*] In what way were the complaints put to you?—I have seen them try to steal bread.
629. Did you assist them?—No.
630. Did you report to anybody what they said?—No.
631. *Mr. Bush.*] Did they complain of being cold too?—Not that I know of.
632. They did not complain to you?—No.

FRIDAY, 27TH JULY, 1900.

JESSE PIPER, examined on oath.

1. *Mr. Harley.*] You are one of the Nelson City Council representatives on the Nelson Charitable Aid Board?—Yes, and a Justice of the Peace.
2. You were one of those who paid a visit to St. Mary's School at Stoke at the end of May last?—Yes.
3. What induced you to go upon that visit?—I met the Chairman, Mr. Rout, in the Council office, on the Wednesday, and he said that he had very reliable information that there were boys in solitary confinement who were taken out to be whipped every day, and who were fed on bread and water; that there was no furniture in the cells but a bowl or something of the kind for their necessities; and that the bowl was taken away only once in two days. The Chairman asked me to go. I first asked what right we had to go. The Chairman said he had taken legal advice, and had been informed that, as Chairman of the Board, he could go there on an official visit.
4. Whom did you go with?—The Chairman, yourself, and Mr. Heyward.
5. Were you received as detailed by Mr. Rout on arrival there?—Mr. Rout rang four or five times before we could gain admittance.
6. Then a Brother came, and you were taken into the building?—Yes, Brother Augustine came, I believe.
7. You and Mr. Rout went upstairs with Brother Augustine?—Yes, and the other two went towards a lot of boys.
8. What were you looking for upstairs?—For cells.

9. Did you find them?—No, not then. We passed through the dormitory, then we turned back and came to two rows of doors on both sides of the building. The Chairman asked what was inside these rooms. The Brother said they were private rooms and storerooms. "That one," pointing to a particular one, "is my photographic-room," he said. The Chairman asked, "Can we see inside these rooms?" And the Brother replied, "No, you cannot. Brother Loetus is in town with the keys."

10. Did you go down then to the yard?—The Chairman spoke about the keys being absent, and asked whether any boys were confined up there. The Brother replied, "No." After a little time I put almost the same question in this form: "Were there never any boys locked up there?" He said, "There are no boys locked up here. We never lock them up. There is no place for it." We then went downstairs, and I proceeded to go to where Mr. Harley and Mr. Heyward were examining the boys. The Chairman followed pretty close behind. After looking at the boys carefully myself, the Chairman tapped me on the shoulder and said, "Come this way." I went with him towards the entrance from the back of the building. He looked up and said, "You see that up there, those bars across the window?" I looked up and saw them. I called Brother Augustine and asked, "What do those bars mean?" He said, "That is my photographic-room that I told you of." I then said, "What do you want bars for photographic windows for?" He said, "To keep the boys out." I said, "The boys cannot get up there." He said, "Oh, there are ladders about. I will show you the room." I called Mr. Harley, and we all went up together with Brother Augustine. We proceeded to the photographic-room. There was a camera there, and a few photographic materials about. I did not see any shelves about it.

11. What had the room the appearance of being made for? Well, I should say, a cell. I should fancy a dark cell, too. The Chairman then pressed Brother Augustine about boys being confined, and after a great deal of pressing he admitted that there were two boys in a cell up there.

12. Did he point out where the cell was?—Yes, he pointed out the room, which was upstairs.

13. Did he tell you there were two boys in a room there?—Yes: not the photographic room, but another room on the opposite side—what is called the "tower room," I suppose. The Chairman asked again for the keys, and Brother Augustine again replied, "I cannot give them to you; Brother Loetus has got them in town." The Chairman sent the Relieving Officer to the room to call out. He called out, and there was no response. Brother Augustine remarked, "It is no use. There is another door between; they can't hear." Mr. Harley asked him whether they had the two boys locked up separately. He said, "No." I said, "This is a very serious matter. The boys might die, and nobody hear anything about it; or the place might catch fire, and the boys might be burned to death." He replied, "We are very careful of fire." I said, "I have no doubt; but one may occur." I said I thought the question of fire very important, as the keys were in town. As we were passing along the corridor I said, "I might just as well say that it is said a boy has been locked up here for four months."

14. Did you name the boy?—No, I do not think I did. Brother Augustine replied, "No; not so long as that. Two months."

15. Was it stated then, or at any time during the visit, who this boy was?—It was stated to be Skilton. We talked about the matter, and we thought we had better go out the next day. We went downstairs, where the boys were at dinner. The Chairman and Mr. Heyward stood at the door, while I and Mr. Harley passed in and out among the tables. We saw the food—what has been termed "Irish stew."

16. Did you notice what it consisted of?—Yes; potatoes and a little bit of meat. There were no vegetables in it. It is what I should call on board ship, "lobscouse," with a very small bit of meat.

17. What was the appearance of it? Was it appetising?—Not at all. The surroundings would make me sick looking at them.

18. Was there a cloth on the table?—Yes; some cover; it was very dirty.

19. Did you taste the food?—No; I could not face it.

20. What was the colour of it?—Well, a darkish colour.

21. Did it look like what potatoes properly peeled and boiled should turn out?—No. Potatoes treated properly should be perfectly white. The potatoes were mashed. They were not in their jackets.

22. Was the meat in large or small quantities?—Very small quantities.

23. You went in the yard to see the children?—Yes. There was a great number of them.

24. Did you take notice of their clothes?—Yes; very closely. They were very ill-clad. I doubt very much whether you could pick up such a lot in the gutters of London. They had feet out at toes, and hair through their hats.

25. *Mr. Wardell.*] Can you speak from experience of London?—Yes. I say these boys could hardly be beaten for the state of their clothes by boys picked up in London. You might get one or two children worse clad in London, but you would not get a mob together like that.

26. What do you consider about the clothing as regards warmth?—It could not keep them warm.

27. *Mr. Harley.*] Had the boys anything under their cotton shirts?—I could not see that they had anything. Some were very bare. Some of them, at least, had no undershirts. They were very ill-clothed indeed.

28. The visitors then went away, leaving a message that they would come back next day?—Yes. We had not gone far when we met Brother Loetus. We then turned back with him. The Chairman had a conversation with him, and we were taken upstairs.

29. Was there any hesitation?—Brother Loetus seemed to be trembling, and took a long time to get off his overcoat. He said the rooms referred to were private rooms. Then I out with it and said, "We have been informed that boys are locked up here."

30. You were taken up to the cell?—Yes. I think Brother Loetus opened the storeroom, which contained clothes, old boots, &c. We went through that room into another room, where we saw a cell built on the side of the room.

31. *Mr. Wardell.*] Does that mean a piece of the room partitioned off?—Yes.

32. *Mr. Harley.*] Two sides of the room formed two sides of the cell, which was built in a corner?—Yes.

33. It did not go up the whole height of the room?—No; it was like a big box stuck up in the corner.

34. *Mr. Bush.*] Was there a special ceiling for the cell?—Yes.

35. *Mr. Harley.*] What were the measurements of the cell?—About 7 ft. high and long, and about 4 ft. wide.

36. Was there any means for letting light into it?—Yes; there was a little grated aperture about 18 in. square. If you held up a book to the light you could read it.

37. Was there no furniture?—There was an old tin-bowl; no table or chair, seat or bedding.

38. *Mr. Wardell.*] What time of the day was this?—It was past 12.

39. *Mr. Harley.*] Who was brought out of the cell?—James Maher.

39A. He was clothed?—Yes, but had no boots on.

40. Did you see any bedding anywhere?—Yes; I asked about this, and was told that a mattress near at hand was put in. I asked, "What food do you give this boy?" Brother Loetus replied, "The same as the other boys." While we were there the boy's food was brought in. It was exactly like that seen downstairs. It was put aside, apparently, because we were there.

41. Could you hear what took place when Mr. Rout spoke to the boy?—Yes. He said his age was fourteen; that he had been in the cell eight days; that he had bread and water morning and night, and the same as the other boys in the middle of the day.

42. Was he asked how he was punished?—Yes. He said he was slapped on the hands with a supplejack—what is commonly called caning.

43. Did he say how often he had been caned during that period?—I think he said five or six times.

44. Did any members of the Board express approval or disapproval of this form of punishment?—Yes. You yourself said it was very cruel indeed shutting the boys up, and taking them out every other day to be caned.

45. *Mr. Wardell.*] Did he say he was taken out to be caned every other day?—Yes, and Mr. Harley said, "This is torture," or something like that: "It would be better to give them a good thrashing, and be done with it."

46. Was this said in the presence of the boy.—Yes.

47. *Mr. Harley.*] Did Brother Loetus account for the boy being locked up for eight days?—Yes; he said, as Brother Augustine had previously said, that absconders were kept in confinement as many days as they were away. He also said, "It is the same as at Burnham."

48. Was there any other boy in this room or in the cell?—No.

49. Where were you taken to next?—We asked to be shown the other boy, and we were taken to the downstairs cell, which was open when we got there. The condition of the cell was exactly the same as that of the one upstairs. That is, there was no furniture, only a bowl.

50. There was a boy in it?—Yes, Albert James, who had absconded with Maher. He said he had been in about the same time as Maher. He was asked what food he had. It was a difficult matter to get him to speak. Brother Loetus kept on saying to him, "Speak up! Speak up! Tell what you get."

51. *Mr. Wardell.*] Did that encourage him to speak up?—Well, it encouraged him to say, "The same as other boys." This is what he said, as I understood it.

52. *Mr. Harley.*] Was this boy examined at the same length as the other one?—Not quite the same length.

53. This cell is part of the building?—I do not know. It is built under the stairs.

54. There was a place for light to come through?—Yes. I should think there was part of a window, which admitted light. Part of the window appeared to face the cell, and part appeared above.

55. On which side of the building were the two cells?—On the west side. I think the lower cell would be particularly hot in summer time.

56. *Mr. Wardell.*] What was the size of the lower cell?—I think it was longer, and a little higher, and about the same width as the upper cell.

57. Did the lower cell seem to be the same height as the other rooms?—I think it was.

58. *Mr. Harley.*] Was that all that took place?—I said to Brother Loetus, "Why on earth don't you send these big boys out to service?" I said this because Maher said in the letter read to us that he was so happy in the place at the Moutere for the two or three days he was there.

59. Did you or any of the members of the Board present express approval of the way the boys were treated?—Certainly not.

60. Was the management of the institution praised at all by any of you?—No; not at all.

61. How long have you been a member of the Charitable Aid Board?—Since 1890.

62. Have you been to the institution on other occasions than this one?—I have been twice. I would not go any more because the surprise visits we paid were a farce.

63. *Mr. Wardell.*] How many times have you visited the school since you became a member of the Board?—Three times, including the one now being described.

64. *Mr. Fell.*] Why did you not make a surprise visit that was not a farce?—We did on the last occasion.

65. Why did you not make frequent occasional visits that were not a farce?—Because we could never see the children in their natural condition as we wished to see them.

66. But you attempted to make a surprise visit?—Yes; in the time Mr. Everett was Chairman of the Board some years ago.
67. I suppose that was not a surprise visit, or an attempted surprise visit?—Yes, it was.
68. How long ago?—In 1890. It must be more than two and a half years ago. I cannot tell you the date.
69. You have not been there since, except on the last occasion?—No; I did not care to go because I could not see things in their natural condition.
70. *Mr. Wardell.*] When did you find out that you did not see them in their natural condition?—I found this out because directly we got up there we found everything prepared for us.
71. *Mr. Fell.*] You all went up in a body when everything was prepared?—Yes.
72. Why did you not go by yourself?—I should want a witness.
73. Why did you not get a witness?—I could not command any one to go.
74. Did you ever try to get any one to go?—No.
75. How do you know you could not make a surprise visit if you never tried? You went apparently on state occasions. Why did you not go privately, or with a friend?—We did, I say, and succeeded in May last.
76. You had never been before with the exception of these state occasions. Why did you not go by yourself?—Because I could not get in by myself.
77. Did you ever try?—I did not think of going by myself.
78. Did you not tell Brother Loetus and others that the institution was first-rate, and that it reflected the greatest credit on them, but that the solitary confinement was the greatest blot on the institution?—No, I did not. I said the confinement was very harsh.
79. Why did you not complain of the food?—Because I did not know whether that was continued from day to day as I know now.
80. Did you ask the Brothers or the boys?—No.
81. Did any of the boys complain to you of the food?—No.
82. Did you ask them whether they had any other clothes than those they had on?—No. I knew they had others.
83. That was over two and a half years ago?—Yes. I had also seen the boys in the band, and in processions.
84. Did any boys complain to you of insufficient clothing?—They never spoke to me.
85. Did you give the Managers to understand that you considered the confinement of the boys ought to be stopped generally?—Yes; the Chairman asked that the boys be let out. I forgot to say that Brother Augustine, referring some time before to the cells, said, "I always said they would get into trouble over this. I always disapproved of it."
86. Did they say why they adopted this as a form of punishment?—I think Brother Loetus said the Department would not let them flog on the back, so they shut the boys up, and it was the same at Burnham.
87. Did you complain of anything else, or suggest any other improvement or alteration?—No.
88. *Mr. Hogben.*] I should like to be quite clear as to what Brother Loetus said. Was it in referring to the cell he said that the boys were punished in the same way as at Burnham?—Yes.
89. Was that question confined to a recent or to a lengthened period? Was it a question of being confined in cells at all, or over a lengthened period?—I should judge, a lengthened period.
90. Will you repeat the same words as he said?—He said, on being questioned, that they were only carrying on the same punishment as was adopted at Burnham.
91. Was the question of the time of the confinement in cells part of the same conversation?—Yes.
92. With regard to the statement as to flogging, will you repeat again what he said?—He said they did not flog, because the Department had forbidden them to flog.
93. Then, you understood from him that they had ceased to flog, under instructions from the Department?—Yes.
94. You understood the remark to apply to that alone?—Yes, I think. I am aware now that flogging is contrary to the regulations of the industrial schools.
95. You understood Brother Loetus to say definitely that they had been instructed by the Department not to flog?—Yes; definitely.
96. You understood Brother Loetus to say the practice at Burnham was to act in accordance with these instructions?—Yes.
97. *Mr. Wardell.*] What was your impression as to the physical condition of the boys?—Well, not so good as it ought to be.
98. Did you see any appearance or evidence of emaciation or results of starvation?—I did not see any emaciation. They had a pallor about the countenance.
99. Did you hear of any illness amongst them?—We have had several of the boys at the hospital at different times. There is one there now.
100. Is that the one who was here yesterday?—No; another one.
101. *Mr. Bush.*] When walking between the tables and the dining-room were any Brothers present?—Yes; two were standing in the room in a kind of pulpit.
102. When outside amongst the boys were any Brothers present?—I saw one close. I think Brother Augustine was coming towards us.
103. They were so near they could have heard anything that passed between you and the boys?—Yes. The whole time we were there the Brothers could hear exactly what passed.
104. Did you ever make Irish stew?—I have eaten a great deal of it at times.
105. I want to find out whether you have ever made it, because you have spoken of its poverty in this case. Can you tell how it is made? Are there equal quantities of meat and vegetables?—No; not equal quantities. There should be a lot of meat, and some onions.

106. You are going into luxuries. Can you say what Irish stew should be like for charitable institutions?—I think children supported by the State should be fed the same as children outside.

107. What is the usual proportion of meat and potatoes?—There ought to be a good third meat.

108. You do not think there was that in the stew at the school?—No.

JOHN McCORMACK, examined on oath.

109. *Mr. Harley.*] How old are you?—Sixteen on the 17th April last.

110. You have been an Orphanage boy at Stoke, and are a Nelson boy?—Yes.

111. Were you at the Orphanage long?—About seven years. I left on the 20th of last April.

112. Where are you now?—Working at Cable Bay.

113. I understand that you are licensed out from the institution—that you are not yet free?—Yes.

114. What food did you get at the Orphanage?—The regular dinner was stew, except on Fridays, when there was rice and bread. Sometimes when we ran short of potatoes we got bread and treacle.

115. Did you get anything to drink with the Irish stew?—No.

116. What did you have for the evening meal?—Bread and dripping, and tea on every day of the week.

117. How much bread did you get?—The little ones got less than the big ones. Some of the big ones got three and some two slices off a big tin-loaf.

118. The bread is made at the Orphanage, is it not?—Yes.

119. Did you ever see the dripping prepared? What was it made of?—Fat off the mutton or beef-suet rendered down, with pepper and salt put upon it.

120. What colour is it?—Sometimes not a very nice colour, and sometimes it is a decent colour. It is sometimes white and sometimes brown.

121. How is it put on the bread?—You dip one end into a basin of dripping, rub it against another whilst it is hot.

122. Do you get butter?—Not very often.

123. How was it given to you?—It was melted the same way as the fat.

124. *Mr. Wardell.*] How often do you have butter?—Sometimes once in four or five months, and have it perhaps for four weeks at a time.

125. *Mr. Harley.*] Do you know the difference between dripping and rendered fat?—I do not know the difference between them.

126. Did you get jam at all?—Yes; pumpkin and vegetable-marrow jam for five months sometimes. When we started to have it we had it for tea.

127. What did you have for breakfast?—Every other morning thick porridge, and one slice of the tinned loaf.

128. Is there any difference between the porridge you got then and what you get now out of the institution?—There is a difference. What I get now is better.

129. What do you get on the mornings when there is no porridge?—Bread and jam if it is jam time, and tea; or dripping if it is not jam time.

130. Do you ever have any joints of meat, or parts of joints?—No.

131. Do you ever get meat in any other form except Irish stew?—Sometimes; not very often. About three or four times a year when I was there.

132. Do you ever get pudding?—Yes, at Easter and Christmas.

133. Also on saints' days?—Sometimes, and sometimes buns or cakes. I got cakes once when I was there.

134. How many suits of clothes used you to have?—Two. As soon as one was bad we asked for another. Sometimes we got it and sometimes we did not. We had a little better clothes for Sundays than for week-days. There was a best lot for visitors, which were not worn often. These were kept in the study, and the Sunday clothes were kept in the press. Each boy had two shirts, one on and one off.

135. Did you have any under-pants or under-shirts in winter?—No. Sometimes in winter we got a guernsey on top of the shirt. We did not get it every winter.

136. Did you have any waistcoat?—A few had them with their working-clothes when I left. Some of the visitors' suits were full suits, and some were not.

137. Were you warm enough in winter?—No. On some days I was very cold.

138. *Mr. Wardell.*] How were you last winter?—I was not very warm then.

139. *Mr. Harley.*] Was it because the days were cold, or because the clothes were not warm enough?—The clothes were not warm enough.

140. Did the boys complain among themselves?—Yes. I do not know whether they complained to the Brothers.

141. Did you ever complain to the Brothers?—Yes; I complained once and did not get more clothes. Another time I did.

142. *Mr. Wardell.*] Were these two complaints made during one winter?—Yes.

143. *Mr. Harley.*] Do you know the hill at the back of the Orphanage, where they go up to get wood?—Yes. They were not going up very often when I left. They were then bringing fencing, firewood, and hop-poles. Sometimes they got manuka off the low hills. I have been up the high hill for wood.

144. What is the most times you have been up in one day?—Four times—two in the morning, and two in the afternoon.

145. Was that hard work?—Yes. Some took their time, and it would be a little easier; but they could not then do four trips on one day.

146. What happened then?—Sometimes they were punished, and sometimes not.
147. Did the boys consider it hard work?—Yes; it was the worst work they had to do. Some took three-quarters of an hour and some half an hour to go up the hill. Others used to hurry to see who could get up first.
148. How were they at night after four trips?—Tired.
149. You did a lot of work on the farm: that did not make you tired like this?—It was not so hard.
150. Used you to get punished?—Sometimes I did, for not doing my lessons, and for not doing what I was told. Sometimes I did not hold my hand out steady, and I would be hit across the back.
151. Did you ever get locked up in the cells?—No.
152. Have you seen the cells, or seen boys in them?—I have seen the cells. I have not seen the boys in them, but I know that they have been there.
153. Were they kept in a long time?—A boy named Lowe was there five days not long before I left. Willis was in one; I don't know for how long.
154. *Mr. Wardell.*] Do you know what they were put in for?—I think both were put in for running away.
155. Was it only for running away they were put in?—I think so; but one boy was put in, I think, for insulting a woman.
156. Can you tell how many boys were put in these cells during the last two years?—I think only Lowe, Skilton, and Willis. Skilton was in for two days at one time. I do not know how long Willis was in.
157. *Mr. Harley.*] When the boys were undergoing confinement in the cells were they let out at all?—No. One boy, nicknamed "Day," who was in just before I left, used to be taken out in the afternoon.
158. *Mr. Bush.*] How long was this boy in? Did he go out every afternoon?—For the whole afternoon. He was in for a good time; I do not know for how long.
159. *Mr. Harley.*] Did you see Lowe and Skilton about the yard?—They were not kept in all the time. They were allowed to go out with the other boys.
160. Have you ever had any mustard?—Yes. When I was ill once.
161. How was it given to you?—They put so much in a pannikin, mixed it up with water, and you drink it. All boys who are ill get it.
162. What is the effect upon you?—It burns your inside and makes you vomit. The boys do not like it.
163. *Mr. Bush.*] Does it make you well very quickly?—You get over the sickness in a while. Sometimes they would give you a spell by letting you sit in the yard.
164. It cures your illness?—Yes; not always.
165. *Mr. Harley.*] You get well afterwards?—Yes.
166. Do you know when you complain of being ill that you are going to get a dose of mustard?—Quite certain of that.
- 166A. Were you often ill up there?—Sometimes the boys were ill, and would not tell.
167. Was there any difficulty in getting the boys to take this mustard?—Yes; sometimes the Brothers would stand over them with a stick, and make them take it.
168. Did you get plenty of bread with the stew?—Sometimes I did not get enough; but I was well satisfied with what I did get.
169. If you did not get enough, why were you satisfied?—I never ate as much as I could.
170. Did the boys ever complain among themselves, or to the Brothers, of being hungry?—They complained among themselves. I do not know whether they complained to the Brothers. I think some did; but others were afraid.
171. Why were they afraid?—I do not know.
172. Did the boys seem afraid of the Brothers?—They were not afraid of some, but were of the others.
173. Of whom were they afraid?—Brother Wibertus.
174. Were the Brothers kind to you?—Some were, and some were not. Brothers Augustine and Damien were kind; and nearly all the others unkind.
175. Have you ever seen any boys picking up bits of food about the place?—Yes; I saw a boy pick something out of the pig-bucket. That was only once.
176. Have you told Mr. Rout about this before?—Yes; this morning. I had not spoken to him before.
177. What you have said here, is that all true?—Yes.
178. You have not said it because Mr. Rout asked you to?—No.
179. *Mr. Fell.*] Did you milk the cows?—Yes. There were about eight.
180. Did you learn how to do it there?—Yes.
181. How far is the top of the hill, where you got the wood, from the boundary-fence?—The fence goes up to the top of the hill. I think the bush is inside the boundary. It is just over the top of the hill. About forty or fifty boys went up the hill at once, with flax and staples for the wood. We would take one log each, or two smaller boys would take one log.
182. Would you rather do it or your lessons?—I would rather go up the hill.
183. I suppose it was a bit of fun rather than otherwise?—Some of them enjoyed it.
184. Who did the other work?—The boys chopped the wood, and the fencing and hay-making was done by the Brothers, assisted by the boys.
185. What are you doing now?—Doing general work—cleaning horses, knives, &c.
186. You learnt how to clean knives at the Orphanage?—Yes.
187. Did you have a knife and fork laid for you at the Orphanage?—Yes. We used to have them with the stew.

188. How often were the cloths put on the tables?—Clean, once every week.
189. What was done with the cream from the milk?—At one time they made butter. Sometimes the boys got the milk. Sometimes there was not enough to supply the whole lot.
190. Did you get milk and sugar in your tea and porridge?—We got sugar and sometimes milk.
191. Did you swim, play cricket and football?—Yes; I learned to swim at the Orphanage bathing-hole. I played cricket and football nearly every day in winter.
192. Did you have a half-holiday for play?—Yes; on Saturday afternoons. We played cricket and football, and went to swim.
193. What did you do between tea and bedtime?—We went into the schoolroom and talked to each other in the winter; in the summer we went out into the yard. We went to bed at eight o'clock.
194. *Mr. Wardell.*] Were you allowed to talk to each other in the room?—Yes; we were allowed to run about.
195. *Mr. Fell.*] Who did the housework?—The boys took it turn about. I was in the scullery. The beds were made every day by the boys. Some of them would not make them tidily if they had a spite against those who slept in them.
196. Can you read and write?—Yes; I'm in the Fifth Standard.
197. Were you in the band?—No.
198. Do the boys like being in the band?—Some do, and some do not. They are picked out from those who are able to play. They practice twice a week.
199. What do you do on Sunday?—Go to Mass, and play about.
200. *Mr. Wardell.*] Were there any boys in the infirmary when you were there?—No. The boy Sullivan is in the hospital at Nelson.
201. Did you ever see a doctor at the Orphanage?—Dr. Roberts and Dr. Duff came occasionally.
202. Did you ever see them on account of being out of health yourself?—Yes.
203. Did you see either of them at the time you had the mustard?—Yes; Dr. Duff. That was some years ago.
204. *Mr. Fell.*] Did Dr. Duff give or order the mustard?—He did not give it. I do not know whether he ordered it.
205. *Mr. Harley.*] Are there any fires in the school-room in winter, either day or night?—No.
206. Where do you go in the evenings?—We go out of school at 4 o'clock, and go in again from 5 till 6.30: then have tea, and after tea have outside games in summer, and go in the school-room in winter.
207. Are there no fires between 5 and 8 o'clock on winter evenings, or in the mornings?—No.
208. What time do you get up in the morning?—We get up at 6.30, have breakfast at 7.30, dinner at 12.30, tea at 6.
209. Do you get anything between meals?—At one time we got something to eat about 4 o'clock. I think that was only in the winter.
210. *Mr. Bush.*] Did all the Brothers inflict punishment?—Yes, any of them. If one Brother had reason to give it he would do so.
211. *Mr. Wardell.*] Is it true that when a boy wanted more food, he would hold up his hand?—Yes. If he asked properly, he would get it. If not, he would go without.
212. *Mr. Bush.*] Did the doctor ever prescribe mustard for you?—No.
213. How many times did you take mustard?—Twice during seven years.
214. *Mr. Hogben.*] Who punished the boys? Did Brother Loetus do so?—Very seldom.
215. Can you tell who did?—Several Brothers—Brothers Wibertus, Cuthbert, Albius, and Patrick.
216. Have you seen these punish the boys?—Yes.
217. What were they punished for?—Sometimes for not learning their lessons, and sometimes for other things, both in class and out of it.
218. *Mr. Harley.*] Have you ever seen a boy punished with the hand?—Yes, Lynch, for not learning his lessons.
219. *Mr. Bush.*] Who did this?—Brother Wibertus.
220. *Mr. Fell.*] What does Brother Wibertus do?—He teaches tailoring, and the Fourth Standard.
221. *Mr. Bush.*] How often do you get clean shirts?—Once a week.

JAMES MAHER, examined on oath.

222. *Mr. Harley.*] You are one of the boys of the Stoke Orphanage?—Yes, I have been there eight years next January.
223. How old are you?—Fourteen years and three months.
224. Do you remember running away recently, and going to Drummond's, at the Moutere?—Yes.
225. *Mr. Wardell.*] Where did you meet Mrs. Drummond?—On the other side of the Moutere Hills from Nelson.
226. On what day did you leave the school?—Friday, 11th May.
227. *Mr. Harley.*] Mrs. Drummond took you home, and took you next day to Stade's?—Yes.
228. Where did you go after leaving school on the Friday?—To Richmond, and to Wakefield on the Saturday.
229. You went to some lady's house at Wakefield?—Yes. We did not stay there all night. I got a pair of stockings there, because my own were wet.

230. From that you went to the Moutere? Did you know where you were going?—Yes.
231. You remained at Stade's how long?—About a week, until the constable came for me.
232. Did Mrs. Stade give you a shirt?—Yes.
233. Your boots; were they taken from you?—Yes. They were too small. Mrs. Daniel Drummond gave me new boots.
234. You were brought to the Courthouse and afterwards ordered to be sent back to the school?—Yes.
235. Well, you went back. Do you remember the members of the Charitable Aid Board going up to the Orphanage?—Yes.
236. Where were you on that day?—In a cell.
237. How long had you been there then?—Seven days.
238. When were you let out?—The day after the members of the Board came up.
239. Were you in there all day and all night?—Yes.
240. *Mr. Wardell.*] Do you mean all the week?—On the Thursday I came out and was writing in the study.
241. From the day you were put in until the members of the Board came up, were you taken out of the cell to be caned or anything?—I was taken just outside the door for punishment, and was taken to Mass twice. I was not taken out for anything else.
242. *Mr. Bush.*] How many times were you punished?—Four.
243. *Mr. Harley.*] How were you punished?—On the hands. Twelve strokes the first time, and six other times.
244. During the eight days did anybody go up and sit with you?—One of the Brothers did every day for about five minutes.
245. What did he go to see you about?—To see how I was getting on.
246. Were you left alone all night?—Yes.
247. *Mr. Wardell.*] Did the Brother talk to you when he came?—Yes.
248. *Mr. Harley.*] Was there at any time a chair, stool, or anything to sit on in the room?—No.
249. You had a bed at night? There was a mattress on the floor?—Yes, and four blankets.
250. That was warm enough, I suppose?—Yes.
251. Were you warm enough in the day time?—Yes.
252. Did the sun ever shine in where you were?—One little ray came in.
253. Could you see through the window or opening when standing on your feet?—I had to look up to see through.
254. *Mr. Wardell.*] Was the opening higher than your head?—Yes.
255. Did the sun shine into the room?—Yes.
256. *Mr. Harley.*] But it did not shine into the cell except one little ray?—No.
257. How large was the opening in the cell?—About 18 in. square.
258. What did you have to eat when there?—Sometimes a Brother brought up bread and coffee; sometimes bread and water.
259. Was there anything on the bread?—Yes, pumpkin jam.
260. Do you remember a piece of bread stuck in the bars when we were up there?—Yes; it was left from my breakfast.
261. What did you have for dinner in the cell?—Stew.
262. And for tea?—Sometimes water; sometimes tea. Had water twice.
263. When you wanted to make water what did you do?—There was a can there.
264. When you wanted to go to the w.c. did you use the can too?—Yes.
265. *Mr. Wardell.*] How often was the can removed?—Sometimes twice a day, sometimes once.
266. *Mr. Harley.*] On the day after the Board were there, you were put in the study?—Yes.
267. How long was it before you were put out with the others?—That was the day.
268. What happens to the boys who cannot drag the posts down the hill?—Nothing.
269. How many times a day have you been up the hill for posts?—Twice. We would take one load down in the morning, and one in the evening.
270. Do you know that some boys went up four times a day?—No.
271. How many suits of clothes had you?—Three. One for every-day, one for Sunday, and the other I have on now, which is the visitors' suit.
272. Is it called the visitors' suit up there?—No; it is called the picnic suit, because we went to picnics in them.
273. Is that the suit you used to put on when visitors came?—Yes.
274. How do you know when to put on this suit?—The Brothers told us to change, as visitors were coming.
275. Do you know of any preparations that were made when visitors were coming?—No.
276. Do you know anything about the beds being done up?—The beds were done up the same every morning.
277. Did they get any extra doing when the visitors came?—No.
278. Have you an undershirt on now?—No.
279. *Mr. Wardell.*] Do you generally wear anything under your white shirt?—No. We only wear one shirt.
280. *Mr. Harley.*] Do all the boys go without undershirts?—A few boys have them. Their mothers sent them.
281. How many shirts and pair of socks have you?—Three shirts, two pairs of socks.
282. *Mr. Bush.*] Have you a waistcoat on now?—No.
283. *Mr. Wardell.*] Do you generally wear a waistcoat?—Yes.

284. Have you nothing but a coat and shirt on now?—No.
285. Do you feel cold now, or when you are outside?—No.
286. *Mr. Harley.*] What have you had for dinner the last three days?—Potatoes, meat, and bread yesterday; potatoes, beef, and sago the day before; the day before that the same as yesterday.
287. How long have you been having bread for your dinner?—We used to get it all the year round on Fridays; and two or three months on other days with the stew.
288. Since the visit of the Board?—Yes.
289. Was it after the visit of the Board that this commenced?—Yes.
290. You have sago now. Did that also commence since the visit of the Board?—Yes.
291. You have run away once or twice, have not you?—Only once.
292. What did you run away for?—I stole apples, and thought I would get punishment.
293. What sort of punishment did you expect?—On the hands.
294. How many times have you been punished during the past two years, not including the times in the cells?—Seven or eight times.
295. Were you punished always in the same way?—Yes.
296. Have you ever been whipped on the body?—No.
297. Have you seen other boys whipped on the body?—No.
298. When the boys are punished, do the other boys see?—Sometimes.
299. *Mr. Wardell.*] Where are they punished, then, when the other boys don't see?—When they are punished in school the other boys see it. When they do wrong things outside they are brought in and punished at the bottom of the staircase.
300. *Mr. Harley.*] Did you ever have any mustard and water?—Yes, twice, for being ill.
301. What is the effect?—It makes you vomit.
302. Do you know what is the matter with you before you take the mustard?—I had a headache once.
303. *Mr. Bush.*] Anything else?—No.
304. *Mr. Wardell.*] Do you know what made you ill?—No.
305. *Mr. Harley.*] How do you feel after taking the mustard?—Hot. I do not like it.
306. *Mr. Wardell.*] Who gives you mustard?—Brother Finien.
307. *Mr. Harley.*] Do the boys take this willingly?—No.
308. What happens when they won't take it?—Brother Finien says he will take a stick to them.
309. Where were you on the 24th May last (Queen's Birthday)?—In the cell.
310. Have you ever been punished by being made to kneel?—Yes, for half an hour or an hour at a time.
311. How does that affect you?—Not much; I do not mind it.
312. *Mr. Fell.*] Do you get enough to eat?—Yes.
313. *Mr. Bush.*] Always?—Yes.
314. *Mr. Fell.*] Supposing the first helping is not enough, do you get more?—Yes, by holding up your hand. Brother Kilian, who used to serve us, would bring us some more.
315. Did you ever hear any boys complain of not having enough; or have you ever complained yourself?—No.
316. *Mr. Wardell.*] Have you ever held up your hand, and then received more food?—Yes.
317. *Mr. Fell.*] What was your work?—Washing all the morning. I had to get wood for the washing.
318. Did you all go up the hill together to get wood?—Yes, all except the little boys.
319. Which do you like best, getting wood or washing?—Getting the wood.
320. *Mr. Wardell.*] Did you ever have any other work to do?—Before washing I had to do the dormitory. I have been in the washhouse about a month.
321. *Mr. Fell.*] Before you went to the washhouse what had you to do?—Heaping up stones in the fields, and pulling wood down.
322. Which do you like best, the washhouse or the lessons?—The washhouse.
323. Pulling down wood is the best fun of all?—Yes.
324. I suppose you know that boys have been put in the cell for running away?—Yes.
325. Were your clothes warm enough for you?—Yes.
326. Did you ever grumble that you had not enough clothes?—No.
327. Did you ever see a boy getting food out of the pig-tub, or hear of it?—No.
328. Was your shirt ragged when you left the school?—No.
329. Do you remember whether this was your shirt?—Yes.
330. How did you get that big hole in it?—Getting over a fence.
331. *Mr. Wardell.*] After you ran away from the school?—Yes.
332. *Mr. Fell.*] How often do you have a clean shirt?—Once a week.
333. I suppose you can read and write?—Yes.
334. Did you have any lessons while you were in the cell?—Yes; geography and sums.
335. *Mr. Wardell.*] What standard are you in?—The Sixth.
336. *Mr. Fell.*] Who set you those lessons?—Brother Augustine, the schoolmaster.
337. Did he go in afterwards to hear you say them?—No; I learnt them myself.*
338. Where did you do the sums?—Sitting on the floor.
339. *Mr. Wardell.*] There was no table or shelf in the room?—No.
340. *Mr. Fell.*] Were you never taken out to do your lessons?—No; I had to do them in there.
341. You went to mass twice on the Sunday?—I went on the Queen's Birthday and on Sunday.
342. Did you write that letter [letter produced]?—Yes.

343. It was written while you were at the Moutere, to another boy at the Orphanage?—Yes.
 [Letter read.]
344. You learnt to write at the Orphanage?—Yes.
345. *Mr. Harley.*] That letter, of course, was the one that discovered you?—Yes.
346. Have you had any fires at all in the schoolroom this winter, morning or evening?—No.
347. *Mr. Hogben.*] You say you had some sago on some days during the last month or so. Do you remember whether it was made with milk or water?—I do not know.
348. Was it sweetened with sugar?—Yes.
349. Do you have milk with porridge?—Yes; for the last six months. Before that we had it when there was milk. That was not every day.
350. Since the last six months have you had it every day?—No.
351. Do you have sugar in the porridge?—Yes.
352. Do you put the sugar in yourself?—No.
353. Were you punished in any other way than by caning on the hands?—No.
354. Did you ever see boys punished in any other way?—Yes, on the back; six years ago.
355. But not within the last two years?—No.
356. Have you seen them punished in any other way?—Yes, the other day; with a large, wide strap.
357. How long has the strap been in use?—Since you came up.
358. Who punished you?—Brother Kilian.
359. Was there any other Brother there?—No.
360. Do they tell you beforehand how many strokes you are going to have?—No.
361. You were punished before I came?—Yes; not since.
362. You were punished, before you ran away, with a supplejack?—Yes.
363. Did they tell you how many strokes you were to get in the schoolroom?—If you missed your lessons, you would know. The rule for that is three or four strokes.
364. *Mr. Wardell.*] Have you been punished since you came out of the cell?—No.
365. *Mr. Hogben.*] Did anybody tell you when you were put in the cell how many days you were going to be kept there?—No.

ALBERT JAMES, examined on oath.

366. *Mr. Harley.*] Are you in the Orphanage at Stoke?—Yes.
367. How old are you?—Fourteen years and nine months.
368. You went to Mrs. Drummond's with Maher, and she washed your shirt, and gave you another?—Yes.
369. When you were brought to the Courthouse and ordered to be sent back to the Orphanage to be punished you asked to be punished by the police?—Yes.
370. *Mr. Wardell.*] You asked the Magistrate to let you be punished by the police?—Yes.
371. What did you do that for?—Because I knew that if I went up there I would get punished more than down here.
372. And the Magistrate declined?—Yes.
373. You knew that if you were punished by the police you would still go back to the school?—Yes.
374. *Mr. Harley.*] What was done to you when you went back?—I went into the downstairs cell.
375. How many cells are there downstairs?—One, near the stairs.
376. How long were you kept in there?—A week.
377. Was there any chair or form in it to sit on?—No.
378. You had a bowl there, and bedding was put in at night?—Yes.
379. Was there anything in the cell but bedding?—There was an overcoat, which one of the Brothers gave me to keep me warm.
380. Was the cell cold, then?—Yes, in the evening.
381. How many times were you let out during the eight days?—When the Board came up we were let out. I was free at 12 o'clock the next day.
382. Had you been let out during the week up till the time the Board came?—No.
383. Had you been there day and night?—Yes.
384. Did any one sit with you, or be with you at night, or come to see you?—No.
385. *Mr. Wardell.*] Did no one come to see you in the cell during the day?—Only one, who brought my meals.
386. *Mr. Harley.*] How long would the Brother stay when he came with the meals?—He would just put the meal in, lock the door, and go out again.
387. You went to mass, I suppose?—Yes, on Queen's Birthday and Sunday for half an hour.
388. *Mr. Wardell.*] Did you go back to the cell directly after mass?—Yes.
389. *Mr. Harley.*] Were you caned?—Yes; three times—six strokes each time.
390. *Mr. Bush.*] Who caned you?—Brother Kilian, in the morning, after breakfast.
391. *Mr. Harley.*] Was it light in this place in the daytime?—It was pretty light.
392. How high was the window or opening?—I could not tell. About 18 in. long.
393. Was part of the window boarded up?—Yes.
394. *Mr. Wardell.*] Were there bars?—Yes.
395. You could see out beyond the bars?—Yes.
396. *Mr. Bush.*] Some glass has been boarded over?—Yes.
397. *Mr. Harley.*] Was the glass behind the bars?—Yes, I could look through the cracks.
398. *Mr. Wardell.*] Did you write something on the door?—No.
399. You say the space of the window left was 18 in. long. Why could you not look through that instead of the cracks?—I could look through that too.

400. *Mr. Harley.*] Could you see to read in this room?—Yes.
401. Had you any sun during the day?—Not till about 2 o'clock.
402. During the last two years had you been punished at the Orphanage before?—Yes, four or five times, on the hand.
403. Were you ever beaten on the body?—If I did not hold my hand straight I would get it on the back.
404. How many strokes of this would you get?—Seven or eight.
405. What was this for?—For not doing what I was told, and talking.
406. Have you ever been strapped?—No.
407. Ears boxed or punched?—Yes, two or three punches once.
408. Was one in the eye?—Yes, and the others in the neck.
409. *Mr. Wardell.*] From whom?—Brother Kilian.
410. How did this come about?—One morning about three months ago, as I was going in to breakfast, a boy hit me with a stick. I tapped him lightly on the shoulder two or three times, and told him to stop. He would not stop. I gave him a push, and Brother Kilian saw me and punched me.
411. *Mr. Bush.*] Was this in the dining-room?—No; in the schoolroom.
412. *Mr. Wardell.*] You were going in to breakfast: where did he punch you?—In the eye and neck.
413. Did you get a black eye?—No; but it was swollen. He afterwards kicked me from the school into the dining-room.
414. *Mr. Bush.*] How far is the dining-room from the schoolroom?—About a yard.
415. Did he kick you more than once?—He kicked me twice.
416. Did he tell you why he kicked you?—No.
417. *Mr. Harley.*] Have you seen boys punished by any other way than by caning?—Yes; they would get it across the back before straps started to be used.
418. When was that?—When Mr. Hogben came up.
419. Before that they were beaten across the back?—Yes.
420. *Mr. Wardell.*] How many strokes across the back?—Two or three.
421. *Mr. Harley.*] Have you seen any other boys punched or kicked as you were within the last two years?—Yes; John Lane was kicked by Brother Wibertus.
422. Was he kicked hard?—Yes.
423. What happened?—He fell, and his head was badly cut.
424. *Mr. Wardell.*] How long ago was this?—About two years ago.
425. *Mr. Harley.*] Did he get cut by the kick?—No; the kick knocked him against the wall, and this cut his head and made it bleed.
426. *Mr. Bush.*] Did the blood run down the face?—I do not know.
427. *Mr. Harley.*] Did you see it?—Yes.
428. Was anybody else punished in this way?—No.
429. Have you been punished by kneeling?—Yes; for about half an hour.
430. Is that painful?—No.
431. Have you ever had mustard given to you?—No; I had castor-oil in the cell.
432. Have you never had mustard-and-water?—Yes; when I was sick.
433. When you were sick! Do you mean ill?—I was vomiting.
434. What does the mustard make you do?—Vomit more. They gave me mustard-and-water to make me sick.
435. *Mr. Bush.*] What was your illness?—I had a headache.
436. *Mr. Harley.*] What does the mustard make you feel like?—It burns, and is painful.
437. Do the boys take it willingly?—Yes.
438. Is there no bother in getting any of them to take it?—Some will not take it.
439. What happens then?—The Brother gets a stick.
440. *Mr. Wardell.*] Which boys object to taking it most—the boys who have never had it before, or the boys who have had it?—The boys who have had it.
441. *Mr. Harley.*] Do you get Irish stew every day?—No; sometimes stew and bread.
442. How long have you been getting bread?—Since the Board came up.
443. Before the Board came up did you get bread?—Only on Fridays, when we did not get meat in the stew.
444. Do you get anything else besides bread now?—Yes; sago.
445. How long has the sago been in use?—Since the Board came.
446. What do you have for tea?—Bread and tea.
447. What do you have on the bread?—Butter.
448. *Mr. Wardell.*] How long have you had that?—Four or five months before the Board came.
449. *Mr. Harley.*] Were you getting butter regularly before the Board came?—No.
450. *Mr. Wardell.*] Since the Board were up how often?—Three or four times a week.
451. Have you ever had butter every day?—No.
452. *Mr. Harley.*] When you do not have butter on the bread, what do you have?—Pumpkin jam and lard.
453. How is the lard made?—From pig-fat.
454. How long have you had that?—A good while.
455. Have you ever seen mutton-fat melted down?—Yes. It is melted and rubbed on the bread by one end being dipped in it.
456. Do you have a picnic suit of clothes?—Yes; I have it on now. It is used when we go out and when visitors come.

457. Who tells you to put the picnic suit on?—The Brothers.
458. Do you put the suit on for that gentleman there [pointing to Mr. Thompson, Official Visitor of Industrial-school Children]?—Yes.
459. Did you put it on for this gentleman [pointing to Mr. Hogben, Inspector-General of Schools, and Secretary to the Education Department]?—No.
460. Have you ever been up the hill to fetch posts down?—Yes.
461. Could you do it easily?—Yes.
462. What happened if the boys could not do it?—Sometimes they would get punished, and sometimes not.
463. How many times a day have you been up?—Once.
464. *Mr. Fell.*] What was your work there?—Outside grubbing gorse and digging drains with Brother Damien.
465. Was he kind?—Yes.
466. Brother Kilian does not seem to have been kind?—No.
467. Did he whack you?—Yes; pretty often.
468. Was he liked or disliked?—Disliked.
469. Which boy was it who hit you with a stick when Brother Kilian pitched into you?—Morris; a middle-sized boy.
470. What sort of stick was he hitting you with?—A little willow-stick.
471. How long ago did this happen?—Four or five months ago.
472. Did you complain to Brother Loetus?—No; I complained to Brother Wibertus, who complained to Brother Loetus.
473. Was any notice taken of it?—I do not know.
474. How long ago was it that Brother Wibertus kicked the boy Lane?—Two or three years ago.
475. Was it not more than that?—I cannot say.
476. Was any complaint made about it?—I do not know.
477. Have you learnt to swim, and read and write?—Yes.
478. Have you ever complained to Father Mahoney of ill-treatment or of bad clothes?—No. When I did not have enough clothes I would ask for them. I had sufficient clothes.
479. Did you get plenty to eat?—Yes; when I wanted more I could always get it by holding up my hand.
480. *Mr. Hogben.*] Now, about the boy who was kicked against the wall. I want you to tell me what standard you are in now?—The Fourth.
481. Did you pass the Third Standard last year?—Yes.
482. Did you pass the Second Standard the year before?—No.
483. Did you fail two years in the Second Standard?—Yes.
484. Did you fail for the First Standard?—No.
485. Did you fail for the Third Standard?—Yes, twice; and passed the third time.
486. You have not passed the Fourth Standard yet?—No.
487. Do you remember what class you were in when the boy was kicked?—I think it was the third.
488. Were you learning geography then?—No; I was learning history.
489. You did not learn history in the Second Standard?—No.
490. Were you learning history when the boy was kicked?—No.
491. Then you were in the Second Standard then?—Yes.
492. Do you have milk in your porridge?—Yes, always.
493. Do you have sugar in your porridge?—No; but it tasted as if it had sugar in it.
494. Do you have milk in your tea?—Yes.
495. Did you have puddings before these gentlemen [meaning the Board] came to see you?—Yes; plum-pudding at Christmas and on holidays, but no other pudding.
496. Did you have baked rice or baked sago?—No.
497. Have you had it since the gentlemen came?—Yes.
498. Was there any milk put in it?—I do not know; it was white.
499. Were the boys punished always with a supplejack?—Yes.
500. Were the number of strokes counted out to you beforehand, or as given?—No.
501. Were you punished with a strap?—No; but we have been lately.
502. Was nobody else present beside the Brother when you were punished?—No one.
503. *Mr. Bush.*] Were there cows in milk in the Orphanage?—Yes, four or five; but not all the year round.

CHARLES JOHN HARLEY, examined on oath.

The Witness: I have been one of the town members of the Nelson Charitable Aid Board for about eighteen months. I have often been to the Orphanage, but not since I have been a member of the Board, except at the end of May. A good deal of comment was occasioned in the town when the boy James asked to be punished by the police instead of being sent back to the Orphanage. Persistent rumours got about that boys were being ill-treated, and the members of the Board determined to pay a surprise visit. Messrs. Rout, Piper, Hayward, and myself went and were met as already described. Brother Augustine took Messrs. Rout and Piper upstairs. I went with Mr. Hayward through the building into the playground, where there were a large number of boys—upwards of a hundred—playing about. When they saw us there, Mr. Hayward called to two or three of them who are put there by the Board. The boys crowded round us, and we had a good look at them. As regards clothing they were very ragged—very oddly dressed. A number had toes through their boots, others hair through their hats. The clothes were torn; they were ill-

fits, such as long coats for short boys and the opposite. A great number seemed to have patch-work coats made of brown corduroy. I had never seen such a collection of oddly dressed youngsters before or since. There were several with the fronts of their shirts open, and we could see their flesh, and that they had no undershirts on. Whether they were warm enough I could not say, but they looked ill-clad. While we were there Messrs. Rout and Piper came down. I knew what they had been looking for, and they were looking round the outside of the building. They spotted a room with some bars in, and, after a conversation with a Brother there, we went upstairs. The Brother said the room was kept for photographic purposes. We all went up to look with Brother Augustine. There were various articles in the room, and I was satisfied that at that time it was being used for photographic purposes. After seeing the downstairs cell, I was satisfied that it could also be used, and was probably made, for a cell. The attempt to find the boys so far had failed. When we got back into the passage the Brother was asked where the boys Maher and James were. He said they were locked up. We wanted to know where, and, after some hesitation, he said, "In there," pointing to the room opposite where we were standing. We asked to see the boys, and were told that Brother Loetus had the keys away. There was a great deal of conversation, the details of which I cannot remember. Annoyance at not being able to see the boys was expressed, and Brother Augustine was told that we would come again next day. We went downstairs into the room where all the boys were dining. There were one or two Brothers apparently looking after them. I walked up and down between the tables. I did not speak to any of them. I saw that they all had a plate of meat and potatoes. There was a good deal of potato, and not a large quantity of meat; the potatoes were very bad in colour. If they had been peeled and boiled properly they should have been of a better colour. The stuff was a dark-brown or dirty-white. It was mashed and sloppy. There seemed a good deal of it. I did not like the look of it, and should not like to eat it. The meat looked like ordinary boiled meat. The boys did not seem to be eating it very freely. We started then to go away, but had not proceeded far when we saw Brother Loetus coming up the road, and we turned back. The Chairman spoke to Brother Loetus, who took us upstairs after saying it was a private room, and making a few other remarks. He opened the door, which led into a storeroom containing principally boots. There was a door at the end opposite from us, and this led to another room, in the north-west corner of which there was a built-in cell like a big box. There was a door at the east end, with a bolt and padlock. Brother Loetus unlocked the padlock and opened the door, and called or brought the boy Maher out. Before we went in there, Brother Augustine said that both boys were in there (pointing to the door of the store-room). There was only one boy in that cell. I went into the cell myself and had the door shut. I do not remember seeing anything in the cell except the tin bowl. The cell was about the size described. When the door was shut I could see when near the opening. It was there to admit air and light, no doubt. The opening was about 5 ft. from the ground, and about 18 in. by 1 ft. in size. It had about three horizontal bars across it, about 2 in. or 2½ in. apart. The bars were such as might have been the legs of an iron bedstead. Stuck between two of the bars was a piece of bread. It was a clean cut off the end of a tinued loaf, and was about an inch thick. One side of it had something spread very thinly indeed. The boy said he had been there since the previous Wednesday. The bread was two or three days old. When I went out of the cell the boy was being questioned. He said he had been left there since the previous Wednesday; that he had been caned four times; that he had been there alone for eight days, and never let out, day or night. I do not remember him saying he went to mass. Brother Loetus interjected that it was the practice to confine the boys in cells as long as they were absent from the school after absconding. One of our party said, "The boy Skilton was in here four months, was he not?" Brother Loetus said, "Not so long as that; not more than two."

Mr. Wardell] Did he say when that was?—He did not. I understood recently. I think locking the boy (Maher) up for a week, and bringing him out to be thrashed every other morning, was very wrong, and I said so. I said it would have been better to give him a thrashing and have done with it. I have been accused by Brother Loetus in the papers of advocating flogging; but I did not do so. I did not think the boy should be brought out daily to be thrashed. The dinner was brought up to the boy while I was there. It was like that seen in the dining-room. I was told the mattress was put in at night.

SATURDAY, 29TH JULY, 1900.

CHARLES JOHN HARLEY resumed his evidence.

The Witness: After leaving the upper floor we went downstairs towards the cell. Brother Loetus was slightly in front, and as he approached the door he said to one of the Brothers, "Open the door." This Brother had a key and opened the door. Mr. Rout went into the cell, and I walked just inside the door, and the boy was examined. This cell was quite different from the other one. It is part of the original building, and I should say it was this cell [indicating a cell on a plan produced], and I should say was intended for a cupboard or something. It was on the west side of the building, and the door leading into it was on the east side and towards the south end. The cell was about the same width, but longer than the other one. I should think it is about 12 ft. long. The height appeared to be the same as that of the other room. I do not suppose it was built originally for a cell, but it was useful for putting boys in. There was no ordinary window. There was an opening on the west side of the wall in front of the building, perhaps 2 ft. by 1 ft. I could not say whether there was glass behind; I suppose there was. The boy was examined by Mr. Rout. He said he had been there a week—since the previous Wednesday. He

said he had stew for dinner, and bread and water for tea and breakfast, and sometimes tea to drink. I noted that, because the other boys said he had bread and water only. I did not make any observation regarding this boy myself, and I moved away. Shortly after that we left the institution. I would mention, in referring to the hill from which the boys bring the wood, that I know it very well. I was brought up at Stoke, and have been over there scores of times, shooting, playing, &c. The hill is steep and of considerable height, 1,500 ft. at least. I cannot find it out exactly from the measurements of the Survey Department. The highest point of the hill is 2,500 ft. I should think 1,500 ft. is within the mark, and the Survey Office thinks so too.

1. *Mr. Hogben.*] 1,500 ft. above the sea, or above the school?—Perhaps to be safe I had better say, above the sea. From the sea to where they land the wood is about 300 ft. This would leave the rise at about 1,200 ft. I have been up twice in one day, and felt very tired indeed.

2. *Mr. Wardell.*] How long ago is that?—About twelve or fifteen years ago, when I was well able to go up. In my opinion, if boys are sent up there four times a day, it is too much, and they can only do it under fear of punishment. I do not find any fault with going up once or twice, but more than that is too much altogether. I think there is no harm in their going up once or twice to bring wood down.

3. *Mr. Fell.*] When you were in the playground with Mr. Heyward had you an opportunity of seeing and speaking with the boys? Were you followed out by a Brother?—There was nothing to hinder us having conversation with the boys.

4. Did they make any complaint to you about the treatment?—No. They just crowded round in an eager way, laughing at each other; but they did not say anything.

5. *Mr. Wardell* (question suggested by Mr. Rout).] Were you a strong, robust youth, and were you looked upon as a famous hill-climber?—I was a strong boy, and I was able to run about hills well.

6. *Mr. Hogben.*] Can you say whether in the course of your conversation with Brother Augustine, or any other Brother, speaking about confinement in the cells or other punishment, was any reference made to a code of punishment?—No reference whatever was made to any code of punishment, except that it was their practice to put the boys in these cells as long as they had been away. That was their practice. I did not understand that they were referring to any rule of the Education Department. I understood it to be a rule of their own management.

7. Did they refer to any rule of their own in respect to other punishments?—No.

8. Did they refer to the regulations proclaimed for Government industrial schools?—No. I do not think the members of the Board then present were aware of those regulations then. They became aware of them shortly afterwards.

9. Did the Brother refer to any conditions, instructions, or understanding with the Department in reference to punishments?—No; nothing was said in my hearing regarding the Education Department.

10. *Mr. Bush.*] Regarding this downstairs cell, you are quite certain there was no ordinary window like that [pointing to a window of the room]?—I am quite certain there was no window in the ordinary sense. There was a small opening about 2 ft. by 1 ft. If there was a window, it was boarded up in some fashion.

11. *Mr. Fell.*] Did you try whether the window would open?—No.

12. *Mr. Bush.*] When we were looking at that cell I understood that it was in the same position as when you saw it. It is a 3 ft. 6 in. window, partly raised, with bars in front?—I should naturally expect a window in a room like that; but at that time it did not show as a window to us.

CHARLES HAGGITT, examined on oath.

13. *Mr. Harley.*] You are a contractor in Nelson?—Yes.

14. Have you been up the high hill behind the Stoke Orphanage often?—Yes, several times; roughly speaking, six or seven.

15. Is it a steep climb and hard work?—It is.

16. *Mr. Wardell.*] It is a stiff, tiring climb: is that what you mean?—It is a stiff climb.

17. *Mr. Harley.*] What effect do you suppose it would have if boys went up there four times a day?—I doubt whether they could do it.

18. You mean it would be too much for them?—Yes.

19. And, I suppose, to drag a log down would not make it more easy?—More hard.

20. *Mr. Fell.*] Do you know how many schoolboys go up the Dun Mountain on holidays for their own amusement, or how high it is?—I do not know.

21. *Mr. Wardell.*] Or how many times a day they go?—No.

GEORGE HOGBEN, examined on oath.

22. *Mr. Harley.*] What are you?—Secretary for Education and Inspector-General of Schools.

23. You know St. Mary's School?—Quite well.

24. You paid a surprise visit there about a month ago?—Yes; on the 25th June.

25. Did you examine the building?—Yes, thoroughly.

26. Did you see any cells, or places evidently made or prepared for keeping boys in?—I saw four constructed for that purpose, and one place where a cell obviously existed before.

27. *Mr. Wardell.*] You saw four which you consider built for the purpose?—Yes, obviously.

28. *Mr. Harley.*] Did you see one under the tower?—I saw where it had been. It had been pulled down. That was the fifth.

29. Did you ask the management or any one when it had been pulled down?—Yes; it was pulled down after the visit of the members of the Charitable Aid Board, who had made a report to the Minister of Education.

30. Who told you that?—Brother Loetus. Brother Augustine was with him.
31. Did the floor and wall show marks where the cell had been?—Yes, plainly.
32. Did you measure the dimensions from these marks?—Yes. It was 7 ft. 6 in. long, 4 ft. 6 in. wide, and 9 ft. high.
33. Can you say from the marks whether the ceiling had been sloped?—I cannot speak very positively; but I do not think it was sloped.
34. Could the ceiling go to the top of the room?—No.
35. Then it was boarded over the top of the cell?—Yes; undoubtedly.
36. Did you find out why this cell had been boarded over the top in preference to carrying it to the ceiling of the room?—No. I did not ask that question. It seemed to be tolerably obvious.
37. Can you say why obvious?—Because there was a loft above. It was not an ordinary room. It was a room having a loft, with a ceiling shaped to suit the loft. It could not be made right up to the top. To keep boys in it was necessary that it should be ceiled.
38. Did you see the cell described as under the stairs?—Yes; the one looking out on the front.
39. *Mr. Wardell.*] This is the "A" room as marked on the plan?—Yes.
40. *Mr. Harley.*] Could you give the dimensions of it?—About 10 ft. by 4 ft., 6 ft. 9 in. or 7 ft. in height. I can reach 6 ft. 9 in. It was just within my reach.
41. How is it cut off from the height of the rest of the building?—Part of it is sloped under the stairs. On my first visit I measured it, and on the second day I saw it measured by Mr. Pope.
42. Had it a window in it?—Yes. It was in the same condition the other day as when I first saw it. It runs through a portion of the staircase, being partly above and partly below the staircase. It is about 3 ft. by 4 ft.
43. Is the window barred?—It has six bars. I think they are vertical.
44. Did you notice any signs in the walls of nails having been driven in with the object of fixing boards across?—I did not notice. There have been fixtures in the cells which are not there now. This is shown by marks. I did not take particular notice of the window in that respect.
45. Where were the other cells?—Three were in a group upstairs. There is no doubt one was used as a photographic room.
46. There is a kerosene-room on the premises. Has that been used as a cell?—I do not think so. It is a lamp-cupboard.
47. Have all these rooms proper arrangements for admitting light and air?—The room downstairs had. The one under the tower, judging from the length of the bars, would have had a proper amount of light and air. The outer one of the series had enough light and could have had enough air. The two inner ones of the series would not have had enough light if they had been used as cells. I do not think they had. The outer one had. The two inner ones are not finished.
48. Have all these rooms the appearance of being specially constructed for cells?—Four had.
49. How about the fifth one?—From all the signs there it must have been built and meant as a cell.
50. *Mr. Wardell.*] The three, you say, did not appear to have been used?—No. Two are not finished. I do not think they have doors. I cannot speak positively.
51. *Mr. Harley.*] Two of the series of three. Are they dark cells?—The partitions do not go up to the ceiling.
52. Is that the only light than can get in?—Yes.
53. There is no window?—No.
54. What are the dimensions of these cells?—I did not measure them. The outer one had not been used for a long time, apparently.
55. The two admitted as being used were the two on the outside of the building, under the tower and under the stairs?—Yes.
56. Is that the cold side of the building in winter? It did not get much sun?—No, I do not think they would get much sun. I think the position is west-south-west.
57. What do you think of that position for winter?—I should say it is about as cold, neither more nor less, than the rest of that side of the building.
58. To be shut in all day and night without means of exercise?—Unless you resorted to means of exercise you would naturally be cold.
59. There would not be much scope for exercise?—I suppose there are means of exercise which human ingenuity could invent; but I do not suppose a boy would invent them.
60. *Mr. Wardell.*] I suppose they would be as cold without fires as other rooms?—Yes.
61. *Mr. Harley.*] Was your Department aware of these cells before your visit?—Yes, of one downstairs.
62. Were you aware that boys were confined there as long as a week at a time?—No.
63. There are certain regulations in the *Gazette* that apply to Government industrial schools; do they apply to such private schools as St. Mary's?—Constructively.
64. That is, you would expect the same punishment to be given at St. Mary's as at Government industrial schools?—Yes.
65. But it is not laid down?—It is not laid down in the *Gazette*.
- 65A. *Mr. Wardell.*] Do you mean that the regulations apply constructively to all private schools?—Yes. I would rather put it this way: "could be made to apply constructively to all private schools under the Act." I may say that they have been made, in the opinion of the Department, to apply to the Stoke School.

66. *Mr. Harley.*] That is to say, the Department understood that the boys were being punished at St. Mary's in the same way as at Government industrial schools?—Yes. The authorities at St. Mary's held themselves bound to follow such regulations.

67. Have instructions been given by the Department to the management of St. Mary's as to the form of punishment?—St. Mary's have been asked a question as to whether they recognised these regulations which apply to Government schools, and they have replied that they recognised them.

68. You heard Maher and James say how they had been put in the cells, taken out and caned, fed on bread and water, tea sometimes. Is that in accord with the regulations affecting Government schools?—The confinement is not in accordance with the Government regulations. The confinement allowed is three hours in the same day, but there must be a proper interval between each confinement of three hours.

69. The Government regulations are gazetted, no doubt?—Yes.

70. Can you produce the *Gazette*?—[Copy of regulations produced and put in.]

71. And you say the punishment received by Maher and James exceeded that?—Yes. Solitary confinement for more than three hours in one day, confinement in a dark cell, or at night, is forbidden—is contrary to what is laid down in the regulations. Any confinement, solitary or otherwise, in a dark cell is forbidden by law.

72. Is the punishment laid down in these regulations considered severe enough by the department?—It may be considered necessary to modify them. They are on the light side, in my opinion.

73. What is your opinion of the punishment as detailed by Maher and James: is that on the light or the heavy side?—First of all, I object to the use of the supplejack for a boy at all. It is used by many parents and some schoolmasters, but I think unwisely. I also think that punishment on the hand, though recognised by public opinion as proper punishment, even when given with an instrument such as a strap or pliable cane, is improper. That is my opinion; but it is general nevertheless. Used with proper restrictions, it leads very rarely to harm. I think a strap is a better and safer instrument for strokes on the hand than a supplejack. It is not so liable to cause harm if undue violence is used in temper. I think all punishment should be administered on the fleshy part of the back.

74. With a proper instrument?—Yes. There is practically no danger with a proper instrument; and if one garment at least is kept on there is no insult to the respect of the person.

75. Now, as to the punishment of these two boys?—It is excessive. I think it would be dangerous to extend the regulations much. They might be extended to four hours, possibly more; but I would limit it to daylight. And I think an inmate confined should be able to call for assistance at any time.

76. I gather that seven days' confinement in the cell under the tower night and day is excessive, in your opinion?—Yes.

77. In fact, anything over a limited number of hours is excessive?—Of course, it varies with the age of the boy. One of these boys is a little under fourteen, and the other a little under fifteen. There are very few there under ten years of age.

78. Do I understand you to say there are very few under ten?—Very few. There might be one or two under nine.

79. Are they not small for that age?—Industrial-school boys on the average are smaller than other boys.

80. Is that because they are small when they go there, or because of the treatment they get?—It is probably due to hereditary causes with a great many of them. Some of them are simply orphans. The very fact that they are industrial-school boys raises a *prima facie* suspicion that their heredity is imperfect. Measurements and statistics show that their development is under the development of a normal boy of the same age.

81. Would a boy confined in the cell under the tower be in solitary confinement within the meaning of these regulations?—Yes, in my opinion.

82. Supposing a boy was shut up in the one below?—Yes.

83. So that Maher and James were both getting solitary confinement?—Yes, presuming that they were in those rooms.

Mr. Fell.] There is no doubt about that. It is admitted at once.

84. *Mr. Harley.*] You have heard it said by the boys that sometimes when they were holding out their hands and would draw them back they would be struck across the back?—Striking across the back is not outside the regulations. The instrument is defined. The supplejack is outside the regulations unless certified to by a medical officer as suitable. But I think a cane is the most suitable of all.

85. *Mr. Harley.*] You distinguish between a "cane" and a "supplejack"?—Oh, yes! Most distinctly.

86. *Mr. Wardell.*] What is the distinction?—A cane is perfectly pliable, and a supplejack is not.

87. And there are no knots on the cane?—Yes; but you might easily get a supplejack without knots.

88. *Mr. Harley.*] Of course, such treatment as punching and kicking, supposing it occurred, that is necessarily outside the regulations?—Oh, yes.

89. And outside, of course, what would be deemed proper treatment?—Yes.

90. As to the food at Government industrial-schools: have they any dietary scale?—We could name the scale at any time; but there is no scale laid down by the Department, nor do the Department think it expedient to lay down a scale. There are general directions.

91. Would the Department expect such general directions to apply to such institutions as St.

Mary's?—I do not think they would apply, except so far as they are founded, and I believe they are, on common-sense.

92. Could you give a dietary scale founded on common-sense?—Without assuming that, I can give the scale at Burnham, which I have just received by telegram. I can also give the existing scale at Caversham, also received by telegram. [Telegrams read, as follows] :—

Burnham Dietary Scale.

Breakfast.—Bread and milk three times a week; porridge four times a week; with each morning bread and dripping and coffee.

Dinner.—Sunday: Cold roast beef, potatoes, pickles, and plum pudding. Monday: Roast mutton, potatoes, fresh vegetables in season. Tuesday: Corned beef, with bacon occasionally; potatoes; fresh vegetables, boiled with meat; plain suet pudding, with stewed fruit or syrup, or roly-poly jam pudding. Wednesday: Meat pie, potatoes, fresh vegetables in season. Thursday: Boiled mutton; hot fresh vegetables, boiled with meat. Friday: Corned beef, hot, with bacon occasionally; potatoes; fresh vegetables, boiled with meat; rice pudding, with stewed fruit or currants, and with milk. Saturday: Irish stew, with bread. In winter time, when there is a scarcity of fresh vegetables, haricot beans are served as a variety.

Tea.—Bread, with butter, three times a week, bread and dripping four times a week, with one slice of bread and jam, syrup, or honey each evening, except Sunday; currant buns on Friday; tea and cocoa on alternate evenings. In season, abundance of lettuces, radishes, and onions; also plenty of fresh and stewed fruit.

Weights of meat per day, 40 lbs.; 60 lb. potatoes, 40 lb. vegetables, both clean. Quantity of milk each day: From 6 to 20 gallons, according to season. Weight of butter per week: 7 lb. Number of boys in residence at present: 112.

A number of boys have been transferred from Caversham to Burnham within the last three months, and the average number in residence would be during that period (roughly speaking) about a hundred.

Caversham Dietary Scale.

Breakfast.—Monday, Wednesday, and Friday, porridge, bread, dripping, coffee; other days same, without porridge.

Tea.—Bread, treacle, or dripping, five days; Sunday, jam; Thursday, butter; Friday, buns as well.

Dinner.—Monday: Irish stew. Tuesday: Barley soup, meat, rice pudding. Wednesday: Boiled beef, dumplings, potatoes. Thursday: Roast beef, suet pudding, potatoes. Friday: Meat pies, rice; or bread puddings. Saturday: Stew. Sunday: Cold mutton, pickles, plum pudding.

Also other vegetables, five days. 62 lb. meat: 29 quarts milk daily, institution and staff. Roll: 79.

93. *Mr. Wardell.*] By whom are these scales drawn up?—By the Managers, in accordance with the general instructions of the Department. There is no scale laid down by the Department.

94. Can you tell me how long the scale has been in force at Burnham?—About a year and a quarter. It has been varied from time to time. The amount of milk and fresh vegetables has been increased on representations from the Department. I should consider it a fault if the dietary were not varied from time to time.

95. Can you tell us when it was raised to the present scale?—About a year ago. The only difference before was a slight difference in fresh vegetables and milk. We are trying to improve that from a dietetic point of view.

96. This dietary scale is not prescribed by the Department?—No; but general instructions are followed.

97. Is there stewed fruit for tea every day, and when is it served?—I cannot say; I do not think it is given every day. When I saw the school the first course was the stewed fruit.

98. *Mr. Harley.*] Is the meat without bone?—No; not necessarily; it depends. The meat is boned as in any ordinary private family.

99. *Mr. Wardell.*] The scale at other schools varies to the same extent?—At the present time Burnham and Caversham are the only two.

100. *Mr. Harley.*] There is one at Auckland mentioned in the schedule. Is that closed?—No; that is an auxiliary school for girls and young boys. It would be difficult to draw up a scale for that. The roll at Caversham has been lately decreased by transfers to Burnham. I may say that I tested the supply of meat at Burnham, and found that the average quantity of meat per inmate per day was something over 8 oz. uncooked.

101. Is this style of feeding reported in any fashion to your department?—We know what they get; we control the supplies. All accounts go through the department. We have a general knowledge of what the farms and gardens at the schools can produce. As regards purchases from tradesmen, we have a double check, as there is a store at the school, and everything taken out is delivered by the storeman. The scale is approved generally by the department.

102. How many boys are there at St. Mary's?—One hundred and twenty-six on the day of my visit. One hundred and twenty-five were in the room, and one was accounted for. The average last year was about the same number.

103. What are the averages at Burnham and Caversham?—It has been about the same, except when Burnham had girls.

104. What is the cost per week per head at Burnham?—If you give a proportionate amount of the cost of management to those in residence, it would be something under 7s. a week.

105. Does that include clothing?—Yes; approximately. Part of the services of the management is taken up in looking after boys who are boarded out, &c.

106. *Mr. Wardell.*] Is that the same at Stoke?—Not exactly; there are none boarded-out there. Some are licensed out. These estimates are given from my general impressions. I should like to be allowed to give exact figures later.

107. *Mr. Harley.*] How many boys at St. Mary's are supported by the Government?—One hundred and twenty-six.

108. They do not pay for all of them, do they?—Yes. They recover something from the Charitable Aid Boards for some. That is public money, too.

109. Are there not a number of orphans put there by the Catholic Church, or friends of the Church?—I do not think there is a considerable number. The majority are put there by the Government and Charitable Aid Boards under the conditions of the Industrial Schools Act.

110. *Mr. Wardell.*] Do the Government pay for all committed by Magistrates?—Yes. The Charitable Aid Boards are chargeable with some under section 16 subsection (1.)
111. Do you suggest that the Charitable Aid Board's pay money direct to the institution?
112. *Mr. Harley.*] Yes. There are five boys in the school who are paid for by the Nelson Board direct.
113. *Mr. Harley.*] How much a week do the Government pay for the maintenance of boys at this school?—Seven shillings a week.
114. Do you know whether at Burnham and Caversham the boys have fires in the assembly-room where they sit at night, and early in the morning?—Yes; in winter time. They have not in the dining-rooms at present. They have in the play- and school-rooms.
115. What do you call winter time? In what months do they have fires?—Any time from the end of April or the beginning of May to October, at the discretion of the masters.
116. In the scale at Burnham and Caversham dripping is mentioned. What do you understand by that?—Fat that has left the joint in the course of cooking.
117. Would you call mutton-fat rendered down dripping?—I should not call it dripping; but it would be as good as dripping if done in the proper way.
118. Did you have a look into the diet at St. Mary's.—Yes. When I arrived they had hardly begun to prepare the dinner. I saw them afterwards at dinner. I went into the kitchen.
119. What did they have?—Irish stew, composed of potatoes, meat, onions, and salt. I do not know whether there was any sugar in it. I believe perfect Irish stew should have some in it.
120. It was cooked while you were there?—Yes; by one of the Brothers, who had two or more boys looking after it.
121. When prepared was it good, bad, or indifferent?—It was a very fair quality of Irish stew to the taste. I tasted it. It tasted better than it looked, perhaps.
122. It did not look very well, perhaps?—It did not look as well as if prepared by the cook of a first-class hotel.
123. It looked appetising?—It did not look the opposite.
124. Did you see them at tea?—No.
125. Were you given the dietary scale?—Yes; by Brother Loetus.
126. Did the boys assemble for dinner?—Yes.
127. How about the clothing?—They were clothed sufficiently, I should say; but the standard was a low one for boys of that age and bodily temperament.
128. Were they ragged?—Yes; a few of them, but not so as to affect health; objection might be taken to it from the point of view of general appearance and moral effect.
129. Did you notice any with toes out of their boots or hair out of their hats?—One or two of the boys had hair out of their hats, and some had no hats. Some had very indifferent boots.
130. *Mr. Wardell.*] Where were they?—The bulk of them were outside. Some were preparing the potatoes; some were in the garden, on the farm, and at other jobs.
131. *Mr. Harley.*] Did you examine them as to their underclothing?—Yes; I examined enough to get a good idea.
132. After examination of that clothing could you say whether it was equal to or better or worse than that at Burnham or Caversham?—It was not equal to the winter clothing at Burnham and Caversham in essential particulars. I am not speaking of appearances.
133. You do not think that appearance is of importance?—I do not say it is not of importance, but it is not of the greatest importance.
134. In what respect did you consider the clothing deficient?—The underclothing was not warm enough. Some of the boys had no socks or boots. Some had boots and no socks. I did not take so much notice of that. In some parts of Great Britain boys go out altogether without boots, but with proper provision made for exercise.
135. I gathered from you that the boys at Burnham and Caversham are better and warmer clad?—Yes; in winter time.
136. There is no uniformity of clothes at Stoke?—No; there was not that degree of uniformity that I should expect.
137. They were not dressed in uniform?—No. I do not think it desirable they should be.
138. If dressed in uniform, would that not facilitate inspection?—There is no difficulty about inspection even if they have no uniform. I think the material may be uniform without the colour being uniform. There might be a certain amount of uniformity in clothing, but I am not using the word "uniform" in its technical sense.
139. You saw the two shirts produced. Do you consider that material suitable for boys?—If washed beforehand, say twice, I do not think it would be unsuitable.
140. Unwashed it would be stiff and hard?—Oh, yes.
141. How did the boys look in regard to personal cleanliness?—They might have been cleaner; but I do not think it amounted to an irregularity.
142. I suppose it is understood by the department that the boys are taught to work?—Yes.
143. What do you think would be the height of the hill behind the Orphanage?—I think 1,200 ft. is near the mark.
144. Do you think the boys should be sent up there for wood three or four times a day?—It depends whether you are used to hill country. Having spent a good deal of my time in hilly country, I do not think much of it. It is all a matter of habit.
145. You know that boys are buried at the Orphanage?—Yes; I was informed so.
146. Are you aware there is a cemetery there?—I do not know that of my own knowledge. It may be in the records of the department. We have a check in other ways, as we receive the certificates of death in every case.
147. Are there any cemeteries in the grounds at Burnham or Caversham?—No.

148. Do you think it desirable to have cemeteries on the grounds of institutions?—No.
149. *Mr. Wardell.*] On what grounds do you think it undesirable?—Mostly on sentimental grounds. A cemetery has a very depressing effect.
150. *Mr. Harley.*] Is this "St. Mary's School," Nelson, as gazetted?—It is one branch of it. It does not require to be further gazetted.
151. There is a difference as to the rights of inspection between Government and private schools?—There are two sections of the Act referring to that—49 and 50. [Sections read.]
152. There is far more latitude as to public inspection at Government than at private schools?—Yes.
153. *Mr. Wardell.*] Is there no regulation limiting the right of public inspection at Government schools?—Section 49 in a general way, and all regulations which the Governor in Council may make under section 46.
154. *Mr. Harley.*] Can you tell me how frequently this school, within the last two years, has been inspected by an officer of your Department?—It has been visited four times during that time by an authorised officer of the Education Department.
155. Of course the Department is aware that the school is under the management of unmarried men?—Yes.
156. Do you know how long it is since a matron or other women were employed there? Within your time?—No.
157. *Mr. Wardell.*] You understand there was a matron there some years ago?—Yes.
158. *Mr. Harley.*] Do you consider unmarried men are likely to manage boys as well as married men and matrons?—I think this is a very big question, and it would take a very long time to settle it. A great deal is to be said even by those who differ from my views.
159. *Mr. Bush.*] Can you express your opinion?—My opinion is that there should be matrons; but I attach a good deal of weight to some arguments used to the contrary.
160. *Mr. Wardell.*] You express that opinion with some diffidence?—I have no hesitation in giving my opinion; but one must attach a good deal of weight to the views of others whose judgment you respect. I think it is desirable to make the conditions of the life of the inmates as similar as possible to the conditions under which they will live in after-life. I do not think one matron would be enough. I think it would be worse to have all women than to have all men to manage boys up to the age of fifteen.
161. *Mr. Harley.*] You think they should be in the same conditions as in home-life?—Yes; as natural as you can make them under the circumstances.
162. Do you know St. Mary's property pretty well?—I have not been to the boundary, but I have a general acquaintance with it. I think there is between 500 and 800 acres. Most of it is hill.
163. You know that it runs down to the main road, and that there is a considerable area of level land upon which vegetables, &c., could be grown readily, and where cows could be and are kept?—Yes.
164. Are there as great facilities there for producing vegetables, fruit, and grain as at Burnham and Caversham?—All the low-lying soil is evidently better than at Burnham. The principal parts of the pasture uplands are better than at Burnham.
165. Taking it altogether, it is a very nice property?—Yes.
- 165A. Is it as good as Caversham or Burnham?—There is only a little over 25 acres at Caversham. At Burnham there is between 1,000 and 1,100 acres.
166. So far as the facilities for producing eatables for boys, the Stoke property is the best?—Yes; or it could be made so. Taking it all round, it is better than Burnham, and I should be glad to exchange.
167. When you were in Nelson a month ago you saw a number of the former inmates of the school?—Yes; on 26th June I saw five or six in Mr. Rout's office and in the street. They were mostly boys who had left two years ago or more.
168. They made statements to you concerning the school?—Yes.
169. Are you the chief officer of the department?—Yes.
170. Did you report to anybody?—Yes; the Minister of Education.
171. These statements dealt almost entirely with matters beyond two years back, did they not?—Mostly.
172. *Mr. Fell.*] How many times have you yourself visited the school?—Once; on the 25th June.
173. *Mr. Wardell.*] How long have you held your position?—A year and four months.
174. *Mr. Fell.*] Referring to the rooms in which the boys were confined, were the three small rooms in a group like what might have been intended for small bedrooms?—Yes; they might have been used for that purpose.
175. Were the walls continued to the ceilings?—No.
176. What about the partitions?—They must have been contemplated from the beginning.
177. Did they appear to have been used to sleep in?—No; there was one used as a photographic-room.
178. I believe there have been considerable difficulties in reference to punishments at Burnham?—No; complaints have been made, but there have been no difficulties.
179. What were the complaints?—They were founded on popular talk.
180. In what sort of rooms are boys confined at Burnham?—In two special rooms built for the purpose.
181. *Mr. Bush.*] Can you describe them?—They have more the appearance of small police-cells than those at Stoke.
182. *Mr. Fell.*] Have they windows or apertures in the door?—Yes; there is a slit in the door, which can be closed.

183. It could be closed and made dark?—No; they have a window high up.
184. What are the cells made of?—Wood for the most part, with some of it iron. One had a wooden floor. I cannot speak positively about the other.
185. Is there a similar contrivance at Caversham?—Yes, but it is not used.
186. During your term of office, how many boys have absconded from Burnham?—The number is much smaller than it used to be.
187. How do you account for that?—They have been more efficiently controlled during the last year and a half.
188. Does the same remark apply to Caversham?—Caversham has always had a high standard as regards absconders. This good conduct is owing to the *personnel* of the management.
189. And the *personnel* at Burnham is better now than it has been?—Yes; it is better than it has been in the past.
190. In reference to food, have you ever had any complaints from visiting officers in reference to the quantity or quality of the food at Stoke during your term of office?—No.
191. Looking at the boys, do you consider that the standard of the boys, as regards physical conditions, is better or worse than at Burnham?—I do not think there is very much difference.
192. I suppose you have not applied tests of weight, &c.?—Not at this particular school.
193. With reference to the dinner-scale at Burnham, do you consider that it errs on the side of luxury?—I do not think it is luxurious; I think it is liberal.
194. *Mr. Wardell.*] How does it compare with the ordinary run of boarding-schools?—I do not think it is as good. The ordinary run of boarding-schools would have a large amount of butter and other luxuries.
195. *Mr. Fell.*] Is not 7lb. of butter, divided between 112 boys, a small quantity?—It is about an ounce a week per head. It is enough, made up with dripping.
196. Looking at things all round, do you consider that an ordinary, middle-class family feeds its boys as well as that?—As regards small boys, it does not feed them any better. As regards older boys, it is a question whether there is enough meat. It may be enough, if made up in other ways.
197. Do you consider that generally it is above that given by an ordinary middle-class house?—No.
198. *Mr. Wardell.*] Do you think that when a boy leaves school to go to work he is fed as well by his employer?—I do not think he would get the same variety. In other respects he would be fed as well.
199. *Mr. Fell.*] Under ordinary circumstances, do you not think it is better than the ordinary artisan's food?—I think from a dietetic point of view artisans would get better.
200. But from the point of view of attractiveness, do you think so?—No.
201. What amount of meat is left from the joints? What is done with it?—There are soups, pies, and stews. The amount of waste is very small.
202. Have you tried feeding the boys with bacon?—They have bacon on the programme, and they eat it.
203. In reference to the cost per head, do you know what the land and building at Burnham cost?—No.
204. Is account taken of the food produced on the grounds?—Yes; they are all reckoned. In regard to some of these matters, things are in a state of transition at Burnham, and there has not been a complete farm-account kept.
205. Does the 7s. a week cost per head include the farm products?—Yes; it represents the net, after giving credit for the farm.
206. How many are employed at Burnham?—The manager, matron, sub-matron, two other women attendants, a cook (female), and seamstress. The manager's house is away from the institution. The sub-matron is the wife of the labour-master. There are also a male clerk, storeman, first and second farm-hands (the first being sub-manager of the farm), a gardener, a carpenter, bootmaker, tailor, schoolmaster, and schoolmistress.
207. Do you remember the total salaries?—I cannot remember now; but I will tell you on Monday.

MONDAY, 30TH JULY, 1900.

GEORGE HOGBEN resumes his evidence.

The Witness: With reference to the instrument of punishment, in expressing my opinion I would like to be clearly understood that it is simply my own opinion for what it is worth. I do not in general think that strokes on the hand are a proper form of punishment. The safest way of doing it is by means of a broad strap, if it has to be administered on the hand. I think punishment should be administered on the fleshy part of the back by a cane, by which I mean a well-seasoned, light, and pliable cane, which, in my opinion, is hardly likely to do harm, and is more effective in producing temporary inconvenience of pain than the strap. I merely make this explanation because the question of punishment is not generally, in my opinion, sufficiently considered. In one of the newspapers I am reported as saying on Saturday that I saw fruit in glass dishes at Burnham. It was in large pie-dishes that I saw it. With regard to the opinion I was asked to express, I would like to say, in explanation, that the reason for the statement I made that it was not desirable to lower the diet, say at Burnham, is, in my opinion, a very important one. A good many of these boys are below normal physical development, and, in the opinion of the department, and such authorities as Douglas Morrison, a writer on juvenile delinquency, in order to give such children a proper start in life, the diet should be at least equal to that required for the normal healthy boy or girl. If you do not make it so, you will further arrest their

development. Therefore, the start they have in life will be inferior instead of equal to that which the average boy gets, and they will probably fall back into the condition from which they have been saved by the State. That is my reason for saying that the dietary scale is not too liberal.

1. *Mr. Wardell.*] When children are in a low state of development you consider it is desirable to give them a full diet, then?—Yes, or they will be forced back in the struggle of life. I should like to say that the dietary scale in the ordinary artisan's and middle-class house does not differ much in New Zealand, so far as my observation goes. I think the difference is only in the method of serving it, and possibly in the variety. I think that if the weekly scale were written down in any ordinary house, it would appear much more attractive than perhaps it appears from memory to those who have been accustomed to see it. With respect to the staff at Burnham, in addition to the members mentioned by me on Saturday, there is a laundress.

2. *Mr. Fell.*] Were you not the Headmaster of the Timaru High School before you received your present appointment, and did that include a boarding establishment?—Yes.

3. It is what you would term a "Dame's House" in England?—No, hardly that.

4. How many boarders did you have?—About fifteen.

5. Was the dietary adopted at this school superior to that at Burnham?—Superior.

6. Do you mean in point of attractiveness, or nourishment power?—In point of attractiveness mainly; in point of nourishment power partly, as there was meat twice a day.

7. From what source did you get your information regarding the Burnham scale; I understood you were reading from a telegram from the Manager?—Yes; and it is in accordance with my own knowledge.

8. Is that scale one imposed upon the institution by Government regulations, or is it left to the discretion of the Manager?—The details of it are left to the Manager. There are no specific regulations.

9. What kind of instructions are given to the management to base this scale upon?—A manager going there for the first time, seeing the scale in operation, may, from his own knowledge as a man of experience, vary it. An officer of the Department, on visiting the school, may give advice or instruction if he considers the scale is not sufficient in any essential article of diet, or variety, such as fruit, milk, or the amount of vegetables. This scale is the result of such advice being followed.

10. *Mr. Wardell.*] This is what you have done at Burnham?—Yes; and at Caversham. I dare say, also, the same was done by my predecessor.

11. *Mr. Fell.*] You are not prepared to give the cost of the various articles under the main heads consumed at Burnham during the year?—I could not say now; but I could in a few days, perhaps.

12. With reference to the question of management by men, as contrasted with that by men and women, do you consider the management here would be assisted, supposing there were a certain number of female Inspectors who had the right to visit when they chose?—I do not think Inspectors would be sufficient.

13. You think they ought to be resident in the school to carry out your idea of the matter?—Yes.

14. *Mr. Wardell.*] Do I understand that women should be employed for boys of all ages, or only those under a certain age?—All ages. There are certain things in dealing with growing boys which women understand much better than men. I should not be very dogmatic. I have given my opinion; but I agree that there is a great deal to be said on the side of those who differ from me.

15. *Mr. Fell.*] With reference to the method of corporal punishment, would you be surprised to know that the governing body of the Marist Brothers forbid punishment on the back, and require it to be done on the hand?—I am aware that, in the opinion of some of the Marist Brothers, punishment on the hand is preferable to that on the back. At the same time, I think it is a mistake. When I speak of punishment on the body I do not necessarily mean on the bare skin. I would guard a boy's self-respect, I would have at least one garment on, or, say, shirt and trousers.

16. *Mr. Harley.*] What is the maximum punishment a boy should receive?—I have given a boy of seventeen eight strokes on the back with a cane. Twelve might probably be given as a maximum, with a light, pliable cane.

17. *Mr. Fell.*] Up to what age are boys kept at Burnham?—Usually up to fourteen; but service-boys returning from service, or boys perhaps rather hard to control, are kept longer. There may be one or two of seventeen or eighteen; but not often. There is always a good number between fifteen and sixteen.

18. So long as they stay they are kept by the State?—Yes; but they work on the farm, and thus do not increase the expenditure.

19. How long are they kept at St. Mary's?—I have looked into the figures. The Government pay for boys up to fifteen at Stoke. The salaries at Burnham in 1898 amounted to £971, with rations; and in 1899 to £1,000, as nearly as possible, with rations. The cost per inmate per week has varied during the last few years. In some respects it has been more expensive. From 1897 to 1899 it varied from 7s. 2d. to 8s. 3d., as near as I can tell. There is a check on that for boys sent to Burnham. The Charitable Aid Boards are charged 6s. 6d., so that it may be said they are not charged with any of the cost of supervision. For boarded-out children at foster-homes, between one year and twelve years old, we pay 6s. a week, and provide them with clothes at the outset and when they go to service, in addition to bearing expenses of supervision, occasional medical attendance, &c. That applies to Burnham, Caversham, Auckland, and the Girls' Reformatory that is being established. There are none boarded-out at Stoke, or only one or two.

20. *Mr. Fell.*] How long has the dietary scale at Burnham been in operation?—It has been substantially the same for some years past. It has been improved by introducing a greater variety of fresh vegetables, as the gardening operations have been extended considerably.

ROLAND HENRY POPE, examined on oath.

21. *Mr. Harley.*] What are you?—I am in charge of the clerical branch of the Education Department relating to industrial schools.

22. Do you know the exact number of resident boys at St. Mary's School?—The average number is, I think, 125; somewhere about that.

23. And of this number how many are paid for by the Government?—The last account was for fifty-nine boys.

24. How are the others supported?—They are chargeable to the Charitable Aid Boards of the districts from which they come.

25. Do you know how many are supported by other than Charitable Aid Boards and the Government?—No.

26. Does the department receive any account how the 7s. a week is spent?—No. The money is paid monthly by the Treasury to the Manager of the school, on the department's certificate as to the number of boys.

27. You do not inquire what becomes of it?—No.

28. *Mr. Fell.*] Have you visited the school for any purposes of inspection at any time?—I was never directly instructed to inspect the school. I have been there once, in December last, on an official visit.

29. Was that for the purpose of going into the accounts, or looking at the school?—I came to Nelson for the purpose of examining the Wages Accounts of the service inmates. In the course of this visit I went to the school.

30. Can you tell me anything as to the condition of the boys, or what you observed?—I was not specially instructed to inspect the school. I went out for another purpose—to ascertain whether the number of boys shown on the official roll of the Department as in residence were actually there. I was at the school about an hour. It was raining hard. I went over the school in a casual way. The boys assembled for the purpose of roll-call.

31. Did they know you were going to the school on that particular occasion?—Yes; I had been in Nelson many days. According to a statement made to me by Dean Mahoney, the boys would have broken up that afternoon, but they remained for my visit.

32. I suppose they had their best clothes on?—I do not know.

33. Were you all alone with the boys?—I went about with Dean Mahoney.

34. Did he appear to be on good terms with the boys?—Very good terms, I should say.

35. Did you hear any complaints?—No; I did not put myself in the way to do so.

36. We had a boy named Albert James here. Can you say whether there is another Albert James in the school?—No; not under Government control. There is a boy named James James, a brother of Albert James. I think they were both committed at the same time, and both were at the school on the 30th June.

37. *Mr. Hogben.*] You keep all records in the Department connected with Industrial School inmates?—Yes; I have done so since 1891.

38. All details of the management of Industrial Schools are necessarily within your knowledge, and you have to carry out most of the details, and make, at all events, most of the preliminary inquiries?—Yes.

39. With regard to the Wages Account, you came to Nelson for the purpose of auditing the accounts of the service inmates. Though not ordered to inspect the school, you nevertheless felt yourself free to report any irregularities that came under your notice?—Yes.

40. You did report orally to me some general impressions, so that the Department had the advantage of what might come under your notice?—Yes.

41. You would not be unprepared to recognise places where irregularities might occur?—No.

42. You had a conversation with me on your return, principally in connection with the keeping of the Wages Account?—Yes.

43. Are those boys chargeable to the Charitable Aid Boards also under the control of the Government?—Equally with those whom the Government pay for, according to section 16 subsection (1) of the Act. When parents contribute, the Department collects the maintenance in exactly the same way as though the boys are chargeable to the Government, and the Department makes a refund to the Boards of the money so recovered.

44. *Mr. Wardell.*] No deduction is made?—No.

45. *Mr. Hogben.*] You know the regulations for punishment in Government Industrial Schools? What means are taken to see that these are carried out?—The Manager of the school is required to send monthly to the Department a statement showing all the punishments inflicted, both in the day-schools and in the Industrial Schools proper. It is part of my duty on receipt of this return to carefully read it, and if I see anything showing undue severity, or anything that I think should be brought under the notice of the head of the department, I am responsible to see that it is done. I initial each sheet. If there is nothing irregular it is filed away.

46. *Mr. Wardell.*] And if necessary a departmental inquiry is held?—Yes.

47. Do you get such returns from private industrial schools?—No.

48. *Mr. Hogben.*] Would it be an advantage if such a record were kept in connection with private schools?—Yes.

49. Are you aware that for some time past it has been the intention of the Department that such record should be kept in connection with private industrial schools?—I have heard you express your opinion that they should be kept.

50. This was before the report of the visit of the Charitable Aid Board to Stoke was made known?—Yes; last October.

51. Can you recollect whether the decision was in the direction of asking for such returns?—I think it could hardly be called a "decision." It was left, I think, as a matter to be further con-

sidered. That is my impression. The conversation took place, if I remember aright, between yourself, the Assistant Secretary of the Department, and myself. We were all agreed that it was desirable that such record should be kept.

52. You would not have been surprised if, on the first visit I had an opportunity of making, I should have asked for such a rule to be introduced?—I fully expected that you would so ask.

53. But my first visit did not take place till June?—I was away from the office at the time that your visit took place.

54. With regard to the immediate purposes of your visit—the matter of the Wages Account—will you explain to the Commission how the wages of the service inmates are dealt with under the Act?—The procedure is laid down in section 57. [Section read.]

55. That is to say, the wages of the service inmates that are actually paid in cash may consist, besides pocket-money and clothing, of what may be paid to the manager under the terms of the license? This money is paid in the name of the inmate into the Post-office Savings-bank?—Yes. In the case of private schools there would be no deductions from the earnings on account of maintenance, as the payment to the institution covers all maintenance.

56. *Mr. Wardell.*] When do they go out?—Somewhere about the age of fifteen years.

57. *Mr. Hogben.*] The whole of the wages set down in the license as payable to the Manager should be paid by him on account of the inmate into the Post-office Savings-bank?—Yes.

58. *Mr. Wardell.*] Do the Government pay anything after the age of fifteen?—No. The license form provides for the employers to clothe the inmate when in service.

59. *Mr. Hogben.*] What check has the department that the amount in the Savings-bank is the amount that should be there under the terms of the license?—The department requires a return to be submitted every month. That shows every change of status of an inmate. If a boy leaves the school, the Manager must enter in the returns the date on which he leaves. Similarly, if an inmate returns to the school, the Manager makes an entry. If the inmate should leave his place of service without permission, he should be shown as missing in the return. That is a matter of departmental administration, and applies to all the schools.

60. In short, the Department has the means of finding out the wages due to any inmate if the return is properly kept?—Yes.

61. It would have the means of checking the license by the return?—Yes. You would take the date of going out from the school, and calculate up to the day the boy left the service. If he received 5s. a week it would simply be a matter of so many weeks at that sum. That amount in full should be deposited in the Post-office Savings-bank.

62. In short, the Department has the same means of cheking the Wages Account at this school as at other schools?—Exactly the same.

63. Did you find any errors when you came over?—Yes.

64. Were those errors due to laxity in setting down the dates?—My investigation left the impression on my mind that whatever Dean Mahoney was he was not an official. I think "laxity" explains the position.

65. Did you think it possible for the Department to adjust all these accounts with a proper regard to the interests of the inmates themselves?—No. In some cases the Department would have to adjust them in quite an arbitrary way. The Wages Account, after I left the institution after auditing were, so far as my ability went, in a thoroughly satisfactory position. Dean Mahoney then understood the requirements of the Department. That was in December last. My visit was more in the nature of laying a thorough foundation upon which the Manager had to work. I found nothing irregular otherwise.

66. Do you think that such errors as have existed owing to laxity in regard to setting down dates could, on a general basis of equity, be adjusted by the department?—I left written official instructions from the Department to the Manager of the school. I tried by all means in my power to fix the approximate dates in the cases in which the actual dates were not given. I instructed Dean Mahoney to send out the wages accounts for the amounts I had calculated; if the employers objected, to press them; and if they still objected, to refer the matter to the Department for decision.

67. *Mr. Wardell.*] The irregularities you observed were in respect to the dates?—Yes. The absence of dates made it impossible to make exact calculations.

68. *Mr. Wardell.*] There was absolutely no irregularity of a serious nature?—The irregularities did not disclose even the suspicion of any dishonesty on the part of Dean Mahoney.

69. Is there any suggestion that money had been received by Dean Mahoney on account of these boys and not put to their credit; or was it that he had failed to make an entry, and that therefore the money had not been received from the employer?—There was no suggestion whatever that Dean Mahoney had received money not accounted for; none whatever. It was probably on account of the Brothers at the school not having advised him of boys having gone out. That was, I believe, the source of the irregularities. Dean Mahoney thought that boys were still in the institution, and two or three months afterwards it was discovered that they were out. Technically they were illegally out, as there was no license.

70. *Mr. Hogben.*] I think it appears clear that, according to your investigation there were no errors which could not be adjusted on the basis of equity?—Yes, that could be done.

71. You know this form [form produced] of the Wages Account of Industrial Schools, which allows the Department a complete check on every account from the inception to the end?—Yes; that form is now being used in St. Mary's School, Nelson. There is one private school where it is not being used. It will probably be introduced during the next month or two there. If we only have correct dates our check is absolute.

72. That includes an account of withdrawals also?—Yes; the manager has no authority to withdraw unless the application is countersigned by the Minister. The savings are dealt with in

connection with the Stoke School in exactly the same manner as those in connection with Government Industrial Schools.

73. One other question, Mr. Pope. Section 57 does not give the inmate any right to the earnings finally?—No; the account is "the earnings of"—

74. What is the practice of the Department in paying over part of the wages of the inmate?—The Manager of the school will apply to the Department on the required form for authority to withdraw a part of the inmate's earnings for special purposes. Say that the applicant has ceased to be an inmate, and that he may wish to establish himself in some business. He makes an application to the Manager, who is required to thoroughly investigate the application, and forward it to the Department with his recommendation. If the Department is satisfied that these earnings are going to be put to some use that will be to the permanent advantage of the inmate, authority is issued to the Manager to withdraw that amount from the Earnings Account, and to see that the money is to be applied to the purpose for which it is granted, and then handed over. When the Manager presents the application at the Post Office, the authorities there are required to see that it is countersigned by the Minister, or some one appointed by him, so that the Manager has no power whatever to touch a penny of the money without the authority of the Department.

75. *Mr. Wardell.*] Once he has paid it in he has no more control of it?—No.

76. The inmate has no right to it when he comes of age?—That is the department's reading of the section.

77. *Mr. Hogben.*] It may be paid over, when proper cause is shown, after the inmate is twenty-one?—It is sometimes done. It is not usual. It is not done unless the Department is satisfied that the person is a steady character. If he has taken a good place in society, or is well known, the Department has no hesitation whatever. If he applies to be allowed to take it out of the Bank and put it, say, into a bank account of his own, he would be allowed to do so. That is my experience of the decisions of the Department.

78. Are any deductions made?—The only case in which any portion is forfeited is when a former inmate has shown himself to be absolutely unworthy.

79. *Mr. Wardell.*] What is the proportion of such cases, do you think?—Not more than 3 per cent.

80. Then, I understand that these moneys do not absolutely belong to the inmate on discharge, or on reaching the age of twenty-one, but if the Minister is satisfied it should be done, it can be paid over either before or after the age of twenty-one?—Yes.

81. *Mr. Bush.*] You think that it is only in 3 per cent. of the cases that anything is forfeited?—I think 3 per cent. is high. I do not know of one case during the past year.

82. *Mr. Wardell.*] Have you any unclaimed balances?—Yes; there are many unclaimed amounts, some of them very small—1s., for instance. Everything else may have been paid out to the inmate.

83. *Mr. Hogben.*] In every case in which it is shown that the money would be used to the permanent advantage of the inmate it is paid over on application?—Yes. There are cases in which we retain the money on account of unworthy relatives, who would hang on to the inmate like wolves and help him to spend it.

84. *Mr. Wardell.*] What does the inmate himself get out of the earnings?—It varies according to the terms of the license, as provided by the second and third schedules of the license. [Schedules read.]

85. *Mr. Harley.*] I understand you, then, that the boys are not absolutely entitled to the money at the age of twenty-one?—That is according to section 57 of the Act. They are not absolutely entitled to it at all.

86. You say that perhaps 3 per cent. have money kept back altogether?—Yes. The amounts in such cases are paid into the Consolidated Fund, on account of the bad behaviour of the boys.

87. Is the age of twenty-one much exceeded before the boys receive their earnings, as a rule?—In the case of St. Mary's the payments are made, as a rule, under twenty-one.

88. Are many boys more than twenty-one before they are paid?—Yes; a great many.

89. What age do they go up to?—Thirty-five, perhaps; but not many so old as that. There are several twenty-five. It all depends when they apply for it. If they do not apply they do not get it.

90. Well, if they do apply?—The case is considered.

91. Do I understand that, owing to a want of dates, some of the earnings due to licensed-out inmates at Stoke could not be accurately determined?—Yes.

92. Is it the Department's reading, or is it clearly laid down in the Act, that the boys are not entitled to their money at the age of twenty-one?—The Department's reading is founded upon the opinion of the Solicitor-General.

93. *Mr. Fell.*] In fact, the matter is not one in which Dean Mahoney has any power one way or the other?—He has no power to touch a penny.

94. *Mr. Hogben.*] The boys kept at the schools by the State cost, in reality, a great deal more than their earnings?—Yes; and the Government, therefore, would be quite justified, if they chose, in making a deduction from the earnings on a basis of equity.

WILLIAM MOORE, examined on oath.

95. *Mr. Harley.*] How old are you?—Fifteen years and four months.

96. You are an Orphanage boy, and are at Dr. Mackie's now?—Yes; I went to Dr. Mackie's about three weeks ago.

97. *Mr. Wardell.*] You are licensed out at service?—Yes.

98. *Mr. Harley.*] Is this the first time you have been out of the Orphanage?—Yes.

99. Do you remember smoking in the dormitory?—Yes; about a month or two ago.

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100. Were you punished for it?—Yes; by Brother Kilian.
101. What did he do to you?—He gave me a cut across the head, and two across the chest with a supplejack.
102. Had you your clothes on?—I had my coat off. I had no waistcoat on; nothing but my shirt.
103. Do you know a boy named Davis at the school?—Yes.
104. Did you see anything done to him about a year ago?—Yes; Brother Kilian punched him in the eye with his fist.
105. What did that do to him?—It knocked him down.
106. *Mr. Wardell.*] How old is Davis?—About 16, I think.
107. *Mr. Bush.*] Did this boy get a black eye?—No.
108. Did it bleed?—I do not think so.
109. *Mr. Harley.*] Do you know a Maori boy named Moap?—Yes.
110. What was done to him?—He got kicked in the stomach by Brother Kilian.
111. *Mr. Wardell.*] How long ago is that?—About two years ago.
112. *Mr. Bush.*] Did it knock him down; Yes; I think it did.
113. *Mr. Wardell.*] Did you see him?—Yes; the boy was going up stairs, and the brother was coming down. I was going up, too.
114. *Mr. Wardell.*] Was the boy going up against orders?—I do not know.
115. *Mr. Bush.*] What were you going up for?—To bed.
116. I suppose the other boy was going up to bed, too?—Yes; I think so.
117. *Mr. Wardell.*] Did the brother pass you before kicking the Maori boy?—Yes.
118. Then how did you see?—I turned round.
119. What was the result of the kicking?—The boy was lying down.
120. *Mr. Harley.*] Do you know another boy, named Jimmy Owens?—Yes.
121. What did you see done to him?—He got punched on the face; and, I think, got kicked. We were going down in ranks out of the school at the time.
122. Who punched him?—Brother Kilian.
123. What happened to Owens?—He got knocked on the floor.
124. *Mr. Bush.*] How long ago was this?—About a month ago; not long before I left.
125. *Mr. Harley.*] Are these boys, Owens, Moap, and Davis, at the Orphanage now?—No; Owens is still there.
126. Have you had mustard and water?—Yes, twice.
127. What does it do?—It burns your inside, and makes you vomit.
128. *Mr. Bush.*] What did you have it for? What was the matter with you?—I had a headache.
129. *Mr. Wardell.*] Did you feel better after it?—I felt worse after the mustard, but I was better next day.
130. *Mr. Harley.*] You used to do the butchering?—Yes; Lane and I were the butchers.
131. Used you to get enough to eat?—Sometimes. I used to sneak a bit of meat sometimes.
132. *Mr. Wardell.*] Did Lane do the same?—Yes.
133. Had you means of cooking it?—Yes.
134. *Mr. Harley.*] Where used you to take it?—Up the gully, and cook it.
135. Have you heard other boys complain of not having enough food?—Yes, I have.
136. Suppose you wanted a second help, did you get it?—Those at the big table could; but some at the little table did not.
137. Did the boys seem very hungry?—Yes, sometimes.
138. What have you seen them do?—I have seen them get stuff out of the pigs' barrel.
139. Was that because they were hungry, or because they would eat anything?—Because they were hungry.
140. Do you remember the visits of the members of the Charitable Aid Board two months ago? Yes; I was in the yard that day.
141. Do you remember seeing Mr. Rout, Mr. Piper, and myself in the yard?—Yes.
142. Did you know that James and Maher were in confinement then?—Yes.
143. Did you know the cell James was in?—Yes.
144. Have you been inside it?—No; but I have looked through the door.
145. Do you know of any alteration being made?—Yes; after the Charitable Aid Board went up.
146. *Mr. Wardell.*] What was the alteration?—The boards were taken off the window after James came out.
147. *Mr. Harley.*] Did you see them?—Yes.
148. How long was it after the Board were up?—Not long after. After the Board came; but before Dr. Mackie, Dr. Hudson, and the other visitors came up.
149. Who pulled the boards down?—Brother Kilian.
150. Did you know the cell in the tower?—Yes; it was pulled down by Brother Kilian.
151. Did you see him pulling it down?—Yes; I saw him pulling it down from the tower window, and I saw the boards when they were brought down.
152. Do you know how many boards were pulled off the window of the lower cell?—I do not know how many; but they were all pulled off. I think there were four or five.
153. Did you see the pieces of board? How long were they?—About 2 ft. 6 in. long.
154. Where were they before they were pulled down?—Across the window.
155. Do you know whether there was glass behind the boards?—I do not think so. New panes were put in afterwards; on the same day as the boards were pulled down.

156. How often did you have a bath in winter up there?—We had one the day before the visitors came—on the Monday—in the washhouse.
157. When did you have any bath before that in the washhouse?—Never before in the winter.
158. Have you had once since?—Yes; one. We have only had two.
159. *Mr. Bush.*] These are the only baths you had in the washhouse in the winter time?—Yes.
160. *Mr. Harley.*] There is a bathing-hole there?—Yes. We bathe there in the summer, but not in the winter.
161. How do you manage for a wash in the winter time?—We never had one. We only washed our faces in the lavatory, and our legs, up to our knees, in the creek.
162. But you had a bath the day before the visitors came? Did you get anything else?—Yes; we got new shirts, and some of them got new braces.
163. What clothes did you wear on the visitors' day?—Picnic clothes.
164. Were you told visitors were coming?—Yes; we were told the night before they were coming.
165. Had you brushes and combs?—No.
166. *Mr. Wardell.*] How did you brush your hair?—I did not brush it at all. It was always cut short by Brother Finian.
167. *Mr. Harley.*] Do you know a boy there named McKay?—Yes.
168. Did you see him thrashed?—No; I saw him stripped when he was going for a bathe about March. I saw six or seven marks on him.
169. *Mr. Bush.*] Where? On his back?—Some on his back, and some on his legs.
170. *Mr. Harley.*] What were you doing?—Picking hops.
171. Tell us shortly what you got up there for breakfast?—Porridge, and a slice of bread every second day. Two slices of bread on other days, with dripping, and sometimes syrup and tea.
172. Who cuts the bread? Have you seen it cut?—I have seen it cut.
173. Is it new or stale?—Sometimes stale.
174. *Mr. Bush.*] Was any of it hard like wood?—Sometimes pretty hard: so hard that you cannot eat it.
175. *Mr. Harley.*] The bread used, say, this morning for breakfast: is that cut this morning?—I think it is cut the day before.
176. *Mr. Bush.*] How often do they bake?—About four times a week.
177. *Mr. Harley.*] What did you get for dinner?—Before the Charitable Aid Board came we got Irish stew every day. After that we got cooked meat by itself, and steamed potatoes; also, bread pudding and sago.
178. *Mr. Wardell.*] How long were you in the school after the Charitable Aid Board were there last?—About a month.
- 178a. *Mr. Harley.*] And for tea what did you get?—Three slices of bread, sometimes two.
179. *Mr. Bush.*] How large were the slices?—Sometimes half an inch thick, sometimes thicker—never thinner. They were the full size of a tinned loaf. Each boy got that.
180. *Mr. Harley.*] Did you change your socks once a week?—Yes; after the Charitable Aid Board came.
181. *Mr. Wardell.*] How often did you change them before?—We would have to wear them out.
182. Were they not washed at all?—No.
183. *Mr. Bush.*] How long did the socks last?—Sometimes three months.
184. *Mr. Harley.*] Did you wear the same socks every day?—Yes.
185. What was done with them afterwards?—Threw them away.
186. *Mr. Bush.*] What was left after three months?—Not much. They were full of holes.
187. *Mr. Wardell.*] After the Board went up you changed them—how often?—Once a week.
188. *Mr. Harley.*] How long did you wear your shirt before the Board went up?—Once a week, and the same since.
189. *Mr. Bush.*] I suppose a great part of the time you were running about without boots and socks?—Sometimes.
190. *Mr. Harley.*] When they got wood off the hill, was that easy?—It was hard.
191. How many times have you been up in one day?—Twice in the morning and twice in the afternoon.
192. *Mr. Wardell.*] How often have you done that?—A good few times.
193. *Mr. Harley.*] If you did not do it, what happened then?—You would get punished by Brother Cuthbert.
194. *Mr. Bush.*] What sort of punishment?—With a supplejack on the hands.
195. *Mr. Harley.*] Was Brother Cuthbert the wood-carter?—No; he would just mind us.
196. *Mr. Bush.*] Where did you go for the wood?—We went up to the top of the hill and down into a gully.
197. Were the posts green or dry?—Green.
198. Would you carry one right up?—No; we would have to stop. Those in front might stop, as the Brothers were behind.
199. *Mr. Harley.*] You say Brother Cuthbert went up with you. Did he go up and down four times?—He would stay at the top. Jack Dwyer would be at the bottom.
200. *Mr. Bush.*] Did Brother Cuthbert bring a post up the hill, or drag it down?—No; sometimes he would help to drag one down.

201. Was it not a picnic? Did you not have tea up there?—We had no tea. They would bring bread up.

202. *Mr. Wardell.*] How often have you been up four times a day during the last year?—I have been up about three days—three times the first day, and four times on the other days—twice in the morning, and twice in the afternoon.

203. *Mr. Fell.*] When you went up, you all went to the bottom on the other side?—Yes.

204. Is the valley on the other side as low down as the Orphanage on this side?—Not quite; nearly.

205. Did each boy bring up a post to the top of the hill?—Yes.

206. *Mr. Wardell.*] What sort of posts are they?—For putting into the ground.

207. *Mr. Fell.*] Did you then bring them down the hill?—About 4 o'clock, we would each bring one down to the cricket-ground, where the cart could get them.

208. When you went up the hill three times a day, did you go into the gully too?—No; the posts were brought to the top of the hill the day before.

209. Did you go up twice in the morning and twice in the afternoon on the second and third days?—Yes.

210. How did you bring them down?—We tied a piece of flax to them.

211. What standard were you in when you left the school?—The Fifth.

212. What did you do for work when you were not pulling posts?—I was the butcher. That would take all the morning. I would be at lessons in the afternoon.

213. *Mr. Wardell.*] How many sheep did you kill in the morning?—Two, and dressed them. Lane would help me. When he went away I did it myself. I was butcher about two years. I also got the sheep in.

214. *Mr. Fell.*] Did you do any other work?—Yes; ditching, putting in posts, minding horses, and harvesting.

215. Can you swim and play football?—Yes?

216. Where did you come from?—Auckland.

217. Are there enough Auckland boys in the school to make up a football team?—Yes. We have played the other boys.

218. How many years were you there?—Four and a half.

219. Did you like your lessons better than butchering?—Yes.

220. Better than tree-pulling?—I like the lessons best.

221. You had new shirts the day before the visitors came?—Yes. We all had new ones. Some were cotton and some woollen.

222. Who did the washing?—Four boys.

223. Did you never give them your socks to be washed?—We would have to go without if we did, as we had none to put on.

224. How many shirts did you have?—Two. They were washed once a week.

225. Did you never go about barefooted?—Sometimes.

226. Do you know what Davis had done when Brother Kilian punched him?—He was laughing at prayers in the schoolroom.

227. Was the boy kneeling when Brother Kilian punched him?—Yes; it was just after prayers.

228. And the Maori boy Moap—what was he doing when he was going upstairs?—I do not know. I think he was late going up to bed.

229. What did the Brother say to you?—Nothing. He let me go by. He had allowed me to go out to the closet. The other boy had been out in the yard.

230. Sort of playing truant in a small way?—Yes.

231. Did Moap complain to Brother Loetus?—I do not know.

232. What was Jimmy Owens doing?—He was just whispering in the school.

233. Did you ever complain to Father Mahoney about not having enough to eat?—No.

234. Were you as fat then as now?—I was fat when I went there, and have been fat ever since.

235. Did you see Brother Kilian pull down the boards from that cell?—Yes. I was going for firewood down the road in front of the Orphanage.

236. What could you see?—I could see him pulling them down. I saw the boards afterwards.

237. Where were the boards put?—He put some in his room, and some I got and chopped up for firewood.

238. Were you ever in the cell?—No.

239. *Mr. Wardell.*] Did you see the boards being taken out?—Yes, from outside.

240. *Mr. Fell.*] How did you know what the cell was for?—The boy Newman told me. You could see the bars, too, from outside.

241. How high was the window from the ground?—About 4 ft.

242. Did you ever look in?—Yes; through the door.

242A. Was anybody in there when you looked in?—Yes; Lowe.

243. Was the door open?—No; I looked through the crack.

244. *Mr. Wardell.*] And saw Lowe in the cell?—Yes.

245. *Mr. Fell.*] Could you see into the cell from outside?—Yes; I could see through the window by getting up and looking through a crack.

246. Was there no glass to the window?—I do not know; they put new panes in.

247. Could the window be opened?—I think so; but it was barred down. Through the boards being there you could not reach your hand out.

248. You say Brother Kilian pulled down the cell under the tower?—Yes.

249. Did you know the cell was there?—Yes. When I was outside I saw a boy put his hand out once and wave it about.

250. Did you see Brother Kilian pulling this down?—Yes. He put some of the wood in the workshop, and some was used for firewood.
251. *Mr. Bush.*] Were you boys allowed to play in the front?—No.
252. If any one was confined in the cell could he talk to the boys in the front?—Yes; he could talk to them if they were passing by. We were not allowed to play in the front, but some might be working in the front garden.
253. How many boys do you know to have been in the cells within the last few years?—Skilton, Lowe, Newman, Clements, Kirk, Maher, and James.
254. Have you seen these boys in the cell?—I have seen most of them.
255. You have known that they were there?—Yes.
256. Did you ever see a boy in any of the cells where the photographic room is within the last two years?—No.
257. *Mr. Hogben.*] What is Clements's other name?—Harry Clements.
258. How old is he?—About sixteen.
259. Did you have milk with your porridge?—Yes.
260. *Mr. Wardell.*] About the meat you "sneaked": did you do that often?—Not always; about twice a week.
261. Did you take the same day's meat?—Sometimes.
262. Where did you get it from?—From the slaughterhouse. I would get the liver.
263. Who cut the sheep up?—Brother Patrick.

TUESDAY, 31ST JULY, 1900.

ROLAND HENRY POPE, recalled and examined on former oath.

1. *Mr. Hogben.*] Will you explain exactly the state of things with regard to the payments made by the Government, on account of the inmates chargeable to the Government, to the Manager of St. Mary's Industrial School?—The Government pays the management at the rate of 1s. a day per head. In the case of boys committed prior to the 1st January, 1893, payment is made in all cases up to the age of fifteen, provided, of course, that in the interval the inmate has not ceased to be chargeable. From 1st January, 1893, the rule has been that for children committed after that date payment shall cease at the age of fourteen years. If, however, the Manager reports that a boy is of vicious habits, or has any physical deformity—in fact, is not suitable for placing out at service—the Department considers each case on its merits, and, if it sees fit, allows payment until he reaches fifteen years of age. That is the position.

2. *Mr. Harley.*] The boys Maher and James, are they not both above fourteen years of age?—The maintenance of Maher is chargeable against the Wellington Hospital and Charitable Aid Board, and is therefore not paid for by the Government. As regards James, he was committed before the 1st January, 1893; consequently his maintenance will be chargeable to the Government up to fifteen.

3. Then the rule as to payment ceasing at fourteen does not apply to Charitable Aid Boards?—No. If the boy has been sent to the school after July, 1895, the date of the passing of the Industrial Schools Act Amendment Act, his maintenance, according to the Department's reading, is a charge against the Charitable Aid Board so long as he is maintained at the school. In case of, say, an imbecile boy, it is quite possible that the Charitable Aid Board would be chargeable with his maintenance until he is twenty-one years of age.

4. *Mr. Wardell.*] This is under which Act?—The Hospitals and Charitable Institutions Act.

5. *Mr. Harley.*] Is the boy Moore, who was here yesterday, a Government boy?—I think he is; and that he was committed under section 19 of the Act as a boy charged with a punishable offence. Section 16 deals with cases of destitution, begging, receiving alms, vagrancy, living in disreputable places, associating with disreputable characters; section 17 with being uncontrollable; section 19 as guilty or accused of punishable offences. Then, under section 25, the Governor has the power to transfer a child under the age of eighteen years from a gaol to an industrial school. That to say, practically, section 19 over again. Section 20 is also related to section 19.

CHARLES PARNHAM (in religion, BROTHER CUTHBERT), examined on oath.

6. *Mr. Fell.*] You are a member of the Marist Brotherhood, and have been attached for some years to the Stoke Orphanage?—Yes; I have been there since 10th January, 1896.

7. What duties have you fulfilled during the last two years?—In the evening I have been employed as teacher in the school, and in the morning at various kinds of farm-work.

8. Have you had the boys working under your supervision?—Yes, commonly.

9. Have you been engaged in hill-work with the boys?—I have on the following occasions during the last two years: 11th November, 1898; 8th September, 15th September, 13th October, 1899; 11th, 26th, and 28th April, 1900—on the last occasion with sixteen boys.

10. Can you say whether other boys have been employed under other Brothers at the same work?—They may have been three or four times with Brother Damien.

11. *Mr. Wardell.*] You say sixteen boys went up on the 28th April: what was the number on other occasions?—From eighty to ninety boys.

12. *Mr. Fell.*] Just give a sketch of this work?—As a rule, it was announced the night before when we were going up the hill. The dinner would be packed and other things arranged the same night. This trip was always regarded by the boys as a picnic. Weather permitting, the boys always left the school after breakfast—about 8 o'clock. They led, and I followed.

13. Did you ever drive them with a stick, or did the boys go of themselves?—I never had occasion to use a stick. The shortest time I went up the hill with the boys has been one hour. We followed the track, on which are certain places with names given to them by the boys. After

leaving the cricket-ground the first stage reached was the boundary-fence, 24 chains. There a rest of five or ten minutes would be taken, and we would probably stand cracking jokes. The next place is known at Stoke as "The First Manukas," 18½ chains from the boundary-fence. A rest would be taken there, and we would next go to the place known as "The Cabstand," 10 chains further on. Then there would be another spell. From there to the top of the hill it is 44 chains, making a total of 95½ chains. On reaching the top the boys would go into the bush and start to carry out the posts, which had been split by other labour. The greatest distance they had been brought is 23 chains, and the shortest 10 chains. If one boy could carry a post, he would; but if not, two, three, or four would do so. It was never compulsory. I mixed amongst the boys. This work started about 9.30 or 10 o'clock, and lasted till about 12, when we had dinner, which consisted of bread, honey, jam, dripping, and tea, the latter being made up there, from water obtained from a creek. The posts would be brought together in short stages, not carried right to the top of the hill at once.

14. Did you take milk and sugar, and a loaf of bread?—We took sugar, not milk. The bread was cut the night before.

15. How long a spell did you have for dinner?—After dinner we would have an hour's spell or thereabouts for play and a run round. Some of the boys would go into the bush, getting birds' nests or anything like that. They were kept within certain bounds, of course. When the hour was up I whistled and they assembled. We would then start work, and bring the posts up until 3 o'clock. At three o'clock we would leave the heap as far as we had got. A sufficient number of posts would then be taken right to the top of the hill, so that there would be one post for each boy. A staple would be driven in and a piece of flax would be attached. Then, a young man who would be with me to assist in maintaining order and discipline would leave for the foot of the hill. He was the lay-teacher. I would give him a start of, say, fifteen minutes; then I would give the signal and the boys would start. I would be the last to leave. The boys got away with a run. They did not exactly race. They were always anxious to see who would be down first. The work was not at all laborious. Each boy could take his post without difficulty. It took the boys about twenty minutes to go down the hill. I would be between thirty and thirty-five minutes myself. The lay-teacher was sent down first to maintain order and discipline when the boys got down to the cricket-ground.

16. *Mr. Fell.*] Were the boys ever employed solely in bringing posts down the hill?—Yes; on the morning of the 28th April they left without dinner, went up the hill and got the wood necessary, which was further away than 10 chains. They left between 10 and 11 o'clock to come home. They had no more work that day.

17. Was that done more than once on one day?—No; not on any of the days I have mentioned.

18. Have there been any days on which you made two trips, either part or whole of the way?—As far as my memory will go, I believe, never. On some occasions we would go to the top of the hill, bring a load down to the boundary-fence, go back, and fetch another post the whole way down.

19. *Mr. Bush.*] Then, did they fetch the load left at the boundary-fence?—Not that day.

20. *Mr. Fell.*] Have you never been up three times a day in that fashion, or four times?—No; never up and down four times in any one day—not since I have been there, nor have we ever been up three times in one day.

21. Have you ever had occasion to urge the boys to this work?—No; they have done it willingly.

22. Have you had any complaints of the work being too severe for them?—No; not once.

23. *Mr. Wardell.*] Were the boys selected for this work?—I selected them myself, according to age and size—from eleven to fifteen or sixteen. There may have been one or two under eleven when they were anxious to go.

24. *Mr. Fell.*] Have you often had boys request to go when they were left out?—Yes. I have never gone once without receiving such a request.

25. Did you ever have to beat any of them for not doing the work on the hill?—No. They preferred this work to school work.

26. Where was the firewood got from?—No firewood has come from that hill to my knowledge for the last four or five years. Firewood has been obtained from Mr. Jacka, at Stoke.

27. Have the boys fetched any hop-poles down during the last two years?—No.

28. *Mr. Harley.*] Is the front side of the Orphanage Hill steeper than the other side?—I think they are about the same.

29. Have you kept boys shifting posts all the morning?—No. They would not be carrying posts all the time, as, after bringing one, they would get a spell in going back for another. The boys were never forced, or worked against time.

30. *Mr. Wardell.*] When you thought they had had enough rest you told them to move on again?—Yes.

31. *Mr. Harley.*] Suppose a boy was sent to the top of the hill three or four times a day, do you think that would have been too much for them?—Yes.

32. Three times would be too much? And four times, of course, would be worse?—Yes.

33. Where did you come from to Stoke?—From Auckland, where I was teacher in a boarding-school in Pitt Street. Prior to that I was teacher in a parochial school.

34. *Mr. Wardell.*] Have you boarders in the Marists' School in Auckland?—They had in my time.

35. *Mr. Harley.*] Is it a fact that you have no fires in the class-rooms at Stoke morning or evening?—There are none except in the infants' school (First and Second Standards), which have a fire in the morning. I cannot say as to the evenings; I am not there then.

36. Will you say that they do have them?—No; I will not. I do not know whether they have them or not.

37. *Mr. Fell.*] Have you any duty at meal times?—No; no usual duty. Brother Killian does that. I have taken it occasionally.

38. *Mr. Bush.*] Can you say what part of the bush you got the posts from?—Not more than two chains down the hill in a direct line. None were got in the bottom of the gully. The greatest distance they were carried was 23 chains along the track.

BASIL McELWAIN, examined an oath.

39. *Mr. Fell.*] You are licensed out to work from the Stoke Industrial School?—Yes, to Messrs. George and Albert Hunt, Eighty-eight Valley. I have been with them six months. I was in the Orphanage about three years.

40. What have you learnt?—I was in the Seventh Standard. I was taught algebra, shorthand, and Euclid, at Stoke.

41. Where were you before that?—At the Mount Cook School, Wellington.

42. Whilst in the Orphanage what work had you to do?—Sometimes writing for Brother Loetus; sometimes looking after horses, and farm work.

43. Did you ever go up the hill to get posts? And did you like it?—I have. I always regarded it as amusement. There were a few boys who did not like it, because, I suppose, they did not like work. It was regarded as a kind of holiday.

44. What did you do?—We started in the morning after breakfast. The whole lot of us went up the hill together. When we got to the top of the hill we waited for the Brother or Brothers. When they came we went down for the posts. If the posts were about 100 yards down we would take them straight to the top. If they were further down we would take them up in spells. I could take one myself; and if a smaller boy could not take one, two or more would take it. If there were a good few posts we would work there through the day. Dinner was taken up—bread, dripping, jam, honey, and tea. When we went home we would take a post each.

45. Did you ever see a boy whacked for not doing enough post-pulling?—No.

46. How many times a day would you go to the top of the hill?—Sometimes only go up twice, and sometimes we would fetch one halfway down and then go back for another.

47. Did you ever know a boy to fetch two posts right from the top to the bottom in one day?—Yes; once in the morning and once in the afternoon. I have not known more than that to be done. I never tried it. I do not know whether I could do it. I was never asked to go more than twice.

48. Did you always have enough to eat?—Yes; there was always plenty to eat. If the first helping was not enough we asked for more, and always got it.

49. Was there ever any food left over from the meals?—Sometimes there was enough left to feed a dozen ploughmen.

50. Was that because it was bad, or because there was too much?—There was too much.

51. Have you ever heard complaints of the boys being hungry; or have you heard of food being taken out of the pig-tub by them?—No; I have always had enough.

52. Did you learn to swim there?—Yes.

53. Did you wash yourself in the winter?—Yes; the face, hands, and feet. We washed our feet in the creek.

54. Did you never have a bath in the winter?—No; not while I was there.

55. Did you have enough clothes to keep you warm?—Yes.

56. What sort of shirts had you?—Those linen ones. They were sometimes washed before we wore them.

57. Supposing your clothes wore out, what did you do?—We asked for more, and we always got them.

58. Did you wear socks all the year round?—Yes.

59. Were they washed?—Yes—by the boys—as often as we asked. There was no arrangement as to time; but I used to get them washed as often as I thought fit to take them to the wash-house.

60. *Mr. Bush.*] What did you do while they were being washed?—Went without.

61. *Mr. Fell.*] Were you ever punished there on the body?—No. I had the supplejack on the hands.

62. *Mr. Harley.*] When you thought the socks wanted washing, used you to take them to the wash-house boys?—Yes.

63. Was there any examination of the socks by the Brothers?—No. Sometimes when they saw a boy with his stockings down, they would tell him to pull them up.

64. Was there any rule or any stated time when the socks should be washed?—No.

65. Supposing you did not ask for new clothes, did you get them?—Yes.

66. Shirts were washed once a week?—Yes; that was the regular rule of the school.

67. When the socks were being washed, had you any others?—Yes; if a chap asked for another pair he would get them.

68. Who taught you algebra, Euclid, and shorthand?—Brother Augustine.

69. I suppose you were looked upon rather as the scholar of the school?—I might have been.

70. Were there any fires in the evenings in the class-rooms?—No.

71. How long did the lessons last?—In the mornings we would get up at 6; go into the school; study until 7.30. In the afternoon we would again go into the school till 4 o'clock, and from 5 till 6.30, when we had tea. Every Friday we had tea at 6 o'clock. After tea we would go into the school-room for recreation until 8 o'clock.

72. Did you have any fires then, or in the mornings?—No.
73. Did you see any boys locked up?—Yes; several. I saw Skilton. I do not know how many times; but he was locked up more than once. I do not remember how long. He was a troublesome boy.
74. Was he punished besides being locked up?—Yes; with a supplejack. He told me so. I think he got it the first two or three days.
75. Were any other boys locked up?—Yes. Maher, Willis, Lowe, Newman, and Clements.
76. Do you remember Miller?—No. I was away then.
77. Do you know of Moap, the Maori, getting kicked by one of the Brothers?—No.
78. Did you see Brother Kilian strike any of the boys with his fists?—Yes; I saw him strike a Maori boy named John Davis. I heard reports of Jimmy Owens being struck; but I was away then. I do not know of any others.
79. Or by Brother Wibertus?—No. He did not have charge of the boys while I was there.
80. Did you see any of the boys thrashed over the body? Or did you know of any being put on bread and water?—No.
81. The dinner has been described as Irish stew every day. Is that correct?—Yes.
82. What did you have for breakfast and tea?—For breakfast we had porridge and bread every other morning; bread, dripping, and treacle every other morning. For tea every day we had two slices of bread and butter or dripping. Last winter we had potato stew regularly. It was left off when summer came on.
83. You never wore under-shirts or under-pants?—No.
84. Did you wear waistcoats?—I did; it was the boys' own look out if they did not have them. They could have got them if they asked in a proper way.
85. Some of the boys got pretty ragged and patched, do you not think?—Well, they looked a bit that way, some of them.
86. *Mr. Bush.*] Were you one of the good boys?—Well, I expect you had better ask Brother Loetus that.
87. I understand you are a very sharp boy; I want to know whether you were one of the good boys. I will tell you directly why I ask you?—Yes; I suppose I was.
88. Were all the good boys like you treated better than the others?—No. All were treated alike.

FRANCIS CURRAN, examined on oath.

89. *Mr. Fell.*] You were an inmate of the Orphanage for some years? And you are at present working for Brother Loetus as baker there?—Yes. I was an inmate for ten years, and have been baking for two years and seven months. I went straight on after being an inmate.
90. How old are you?—Close on nineteen.
91. What standard did you get into before you left?—The Sixth.
92. How often and how much do you bake?—I bake about five times a week. The daily average is ninety-five loaves, all of which are 4 lb. loaves, with the exception of seven or eight 2 lb. loaves. All this is consumed at the school. My brother, who is an inmate, helps me in the baking. I learnt my trade there. I reckon I can turn out a good loaf. I also bake cakes and buns, which the boys have.
93. Have you been present at the meals since you have ceased to be an inmate?—No.
94. Did you always get plenty to eat when you were an inmate?—I should think so.
95. Since you have been baker have you heard any complaints as to the shortness in the boys' food?—No.
96. You are constantly with the boys, I suppose?—Yes. I play with them, football, and cricket a little.
97. Do you consider the relations between the Brothers friendly or the reverse?—I should say they are friendly enough.
98. What punishments have you seen during the past two years?—None at all.
99. *Mr. Harley.*] Are the relations friendly between the boys and Brother Kilian?—I should say not.
100. How about Brother Wibertus?—He has been friendly enough with the boys during the last two years, since he has ceased to have charge of the boys.
101. *Mr. Bush.*] Did they like him then?—No; not exactly.
102. *Mr. Harley.*] Why do they not like Brother Kilian? Is it because he is severe?—I do not know. I never saw him doing anything.
103. Are there any other Brothers out of favour with the boys?—No. Not that I know of.
104. From whom did you learn the baking?—From Mr. Clear. I took it on when he left.
105. Do you turn out good enough bread? And what sort of cakes and buns?—Currant cakes, ordinary buns, and fairly good bread, I think.

PATRICK CLARK, examined on oath.

106. *Mr. Fell.*] You were formerly an inmate of the Orphanage, and are now employed by the Brothers there?—Yes. I have been general farm-hand for nine years. I have been there altogether about 15 years.
107. Do the boys go out with you to work?—I am not in charge of the boys. There is always a Brother with them. In the busy time sometimes I have a batch of, say, ten boys, and I am in charge of them then. In harvest-time I will get a lot of boys there; but then there is a Brother in charge of them.
108. What are the relations between the Brothers and boys as you see them at work?—I have heard enough said about certain Brothers; but the boys do not seem to be afraid of the Brothers. That is my experience. I have not seen any signs of the boys being knocked about,

109. Have you done any hill work?—Yes; splitting posts up there in company with a Brother and five boys. After splitting the posts the boys would carry them out to a heap on a convenient track. These boys would be strong boys—fifteen or thereabouts. Posts are brought down the hill another day. There are other boys to carry the posts to the top of the hill. When they are doing this they take one post down the hill with them in the evening. There is generally a shout when it is announced the night before that the boys have to go up the hill. They take spells going up. When they get to the top they take a load down to the cricket-ground.

110. How often in the day do they do that?—It all depends. The boys themselves only do it twice a day. If driven to it they could do it five times.

111. Have you heard of any deer being shot there?—During the last two years. The deer are dressed on the hill, and brought down to the Orphanage, and I expect consumed there.

112. Do you think the boys get plenty to eat?—Yes; I should think so from appearances. I have seen food go from the table to the waste-tub that would feed twenty more boys.

113. I understand you to say that some Brothers are not in favour with the boys?—Brother Kilian is the only one I know of.

JOHN NAYLOR, examined on oath.

114. *Mr. Fell.*] You are the State Schoolmaster at Stoke?—Yes; I have been there eighteen years altogether.

115. How far from the Orphanage property is your school?—My school is next to the Trolove property acquired by the Orphanage.

116. Have you been in the habit of going to the Orphanage frequently?—Yes, very frequently. I was teacher of the drum-and-fife band there before they got the brass band. I spent evenings there, and I have been there at all times of the day and night. I have not been of late years except as a casual visitor.

117. What are the relations between the Brothers and the boys?—From what I have seen they are most amicable, and they get on well together. There seems to be no reticence on the part of the boys in their communication with the Brothers.

118. Have you ever had any complaint made to you by the boys as to the want of food, clothing, or other hardships?—None whatever. I have never had occasion to ask them. I have heard other people ask them how they get on, how they are fed, and so on; but I have never heard a complaint. I keep the post-office at Stoke, and some of the boys come down every day. I have no reason to suppose they are discontented. I have often been with them at their sports and picnics. They always seem happy, and apparently well treated.

119. *Mr. Wardell.*] Are you speaking of recent times?—Yes.

120. *Mr. Harley.*] I suppose you know very little about the inner life of the institution? You call there frequently; no doubt; but you know little of what is going on? Do you know if they get a bath, for instance?—No, I do not. I have been in the bathroom, and there seems to be plenty of accommodation.

121. Do you know if the boys have their socks washed regularly?—No.

122. Do you know of boys being put in cells?—No.

123. Do you know of them having Irish stew every day all the year round?—No. I have seen them eating, and they seemed to enjoy what they had. I would not mind eating it myself. I did not bother my head whether they had Irish stew every day.

124. How many times have you been there during the last year?—Eight or nine times.

125. Have you been there at meals during that time?—Yes; I have sat down and had meals with the Brothers. There seemed to be little difference between the Brothers' and the boys' food. I did not have any Irish stew, as it was tea-time. I had butter and home-fed mutton.

126. Did you know that visitors' suits were kept upon the premises? I suppose you have seen the boys pretty well dressed, and I suppose you have seen them ragged?—I have seen them dressed differently on different occasions. I do not think they were ragged, but they were not luxuriantly or extravagantly dressed.

127. *Mr. Fell.*] Are the boys as well set up as a similar lot at your State school?—I think they will compare very favourably with the boys at my school. I see children at my school sometimes with a bit of bread-and-jam for dinner, and I would rather have the Irish stew.

JAMES WILFRED MARSDEN, examined on oath.

128. *Mr. Fell.*] You are a Justice of the Peace at Stoke, and have an extensive farm contiguous to the Orphanage property?—Yes; I have lived there many years.

129. You have been brought into frequent contact with both the Brothers and the boys at the Orphanage?—Yes; I have had relations with both the Brothers and the boys. I have seen the boys constantly at work, picking up stones, harvesting, dragging posts down the hill, clearing gorse, and all that kind of thing. The relations between them and the Brothers appear to be extremely friendly.

130. Do you know of any complaint of a system of terrorism being exercised over them, or have you ever heard complaints from the boys?—No. The boys have never spoken to me, or I to them, on the subject. They are very cheerful indeed when working.

131. *Mr. Harley.*] You would hardly expect to see them going about with a morose look?—No.

132. Have you been much about the school itself?—No; I have not been there much.

HARVEY CLIFFORD JACKA, examined on oath.

133. *Mr. Fell.*] You are a farmer at Stoke, and your property is next to the Orphanage?—Yes.

134. You are the Mr. Jacka who has been spoken of as supplying the Orphanage with fire-
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wood?—Yes; with willows, bluegum, &c. The boys and Brothers come down, cut it up, and take it away.

135. What are the relations between the boys and the Brothers? Do they seem to be governed with a rod of iron? Are they under a system of terrorism? Or what is it?—The relations, I think, are very good. The boys are not overworked.

136. Have you heard any complaints of any kind?—No. I have not spoken to the boys very much.

137. How do they go about their work?—Cheerful, and singing. You can hear them for a mile or two sometimes.

137A. *Mr. Bush.*] They seem like other boys—happy-go-lucky sort of boys?—Yes.

GEORGE NORGATE, examined on oath.

138. *Mr. Fell.*] I believe you lately lived on the top of the hill at the back of the Orphanage, and that you owned the land from which the posts were taken?—Yes; I gave them the posts.

139. How were the posts taken out?—So far as I know, they were taken out by the boys. I have seen them.

140. Just describe this work?—I do not think they were ever hurt by the amount they had to do.

141. It has been suggested that they went up the hill four times a day?—I do not believe it—not a word of it. I have not seen them do it more than twice.

142. *Mr. Harley.*] You do not believe they were sent up four times a day: why?—Because they could not do it in the time. I was up there part of the time, and lived there while they were getting some posts. They could not do four times; but if you give me 10s. a day I will do it three times a day for a week. I could do it four times. My little pony has taken up 2 cwt. of iron twice a day.

WILLIAM BERNARD CONDELL, examined on oath.

143. *Mr. Fell.*] You are a farmer at Stoke, and have lived there a great many years?—Yes; thirty years.

144. I believe you have frequent opportunities of seeing the Brothers and the inmates at the Orphanage?—Yes; frequently—almost every day. I have service there. I go in and out when I like.

145. Is there ever any attempt to hinder you?—Never.

146. *Mr. Wardell.*] In what capacity do you go?—As a friend and neighbour; and good neighbours they are too. I have borrowed from them as a neighbour.

147. *Mr. Fell.*] What are the relations between the Brothers and the inmates?—Very friendly. I have seen them at work. I have known them to ask the Brothers for permission to chase or trap hares, rabbits, and birds. Permission has always been given.

148. The Brothers did not take a stick to the boys for leaving their work?—I have never seen a Brother with a stick in his hand.

149. Have you ever heard any complaints as to the food, &c.?—No.

150. *Mr. Wardell.*] Have you been in conversation with the boys?—Yes, frequently. As regards food, I have seen the remains of a dinner given to the fowls, and have remarked the amount that has come from the table.

151. *Mr. Fell.*] Were you ever there at meals?—Not with the boys. I have had meals with the Brothers. I have passed through the boys' dining-room.

JAMES BEST, examined on oath.

152. *Mr. Fell.*] You were working on the top of the hill for Mr. Norgate when the boys were getting the posts down?—Yes.

153. Will you describe the work?—After the posts were split the boys would carry them up the hill. The boys were not overworked. They were as merry as crickets.

154. Can you say whether any boys went up and down the hill four times a day?—I never knew them to go more than twice.

155. Did any ever grumble at having to do too much?—No.

156. Do you know anything of the home life in the Orphanage?—No. I have been there at shearing time.

157. Are the relations between the boys and the Brothers friendly?—I have never seen them otherwise.

158. *Mr. Bush.*] Are the posts green or dry?—Dry. They have been cut down nearly two years—the winter before last.

ROBERT ALLAN, examined on oath.

159. *Mr. Fell.*] You are a draper, carrying on an extensive business in Nelson, and you have an Orphanage boy with you at present?—Yes.

160. What sort of a boy is he?—Not a bad sort of boy, but inclined to be untruthful.

161. Have you heard any complaints from him as to his treatment at the Orphanage?—No. The reverse. The first month he was with me he cried every day to go back to the Orphanage.

162. What is his name?—James Walsh.

163. Is he reconciled now to the change?—I do not think so. I think he would willingly go back to-morrow.

164. You had another boy from the Orphanage before that?—Yes; Lane.

165. What sort of a boy was he?—A very untruthful boy.

166. Was he sick?—He appeared to be all right till about three days before he left, when he complained of pains in his body. I attended to him and made him take some medicine. He ap-

peared to get better after this, and he asked leave to go to the Orphanage on a visit. He went away, but he did not come back.

167. Did he ever make complaints about the Orphanage?—No; I asked him once how he liked it, and he said "Very well."

168. Are you familiar with the character of this cloth [cloth produced]?—Yes; it is a black moleskin or beaver cloth. It is very serviceable stuff. The white and gray of it are frequently used for making up clothes.

169. What is that other material [produced], and is it useful for making shirts?—It is flax shirting. It would make good shirts; but they would be rather hard until washed. This one is a finer material, and will make very good shirts.

170. *Mr. Harley.*] How many boys have you had from the Orphanage?—Four.

171. Did they all cry to go back?—Two ran away, one cried to go back, and the other went to the hospital. That was Lane.

172. Did you find them all untruthful?—No; only two.

173. Did you put that down to their bringing-up at the Orphanage?—I do not put it down to anything. You may form your own opinion.

174. You have supplied clothes to the Orphanage?—I have supplied some.

175. You remember the visit of the Charitable Aid Board to the Orphanage two months ago? Did you supply a quantity of clothing then? Did you supply ten dozen shirts?—I did.

176. *Mr. Wardell.*] When did you supply the shirts?—On the 4th June.

177. *Mr. Harley.*] Did you supply anything else then?—No; nothing at all.

178. What have you supplied since then?—Hosiery; fifty-three dozen pairs of stockings, on the 16th June.

WILLIAM WARING DE CASTRO, examined on oath.

179. *Mr. Fell.*] You are Deputy Land Registrar, and hold other Government offices for this District, and you live at Stoke?—Yes.

180. You are a sportsman, and know the Stoke Orphanage grounds well?—Yes; I have been there several times.

181. What did you consider were the relations between the Brothers and the boys?—So far as I know, they have always been very friendly. I have been to some of their picnics, &c., and the boys always seemed fond of their masters. They appeared to be well treated, and to enjoy themselves thoroughly. I have frequently seen the boys at work about the farm.

182. Have you seen them in the schoolroom?—Yes; on one occasion.

183. Have you had meals there?—No.

184. Have you heard any complaints as to the boys' food, clothing, or anything else?—No.

185. *Mr. Wardell.*] Have the boys ever had, in conversation with you, an opportunity to complain if they wished?—Yes.

ARTHUR HENRY LEAPER, examined on oath.

186. *Mr. Fell.*] You are a builder in Nelson, and bandmaster to the Stoke Orphanage Brass Band?—Yes. I have been bandmaster about four years and a half.

187. How many boys are in the band? How often do they practice?—There are thirty-five at present, and they practice two or three times a week.

188. Under what system are the boys picked for the band?—They are picked from the choir, after being brought on by the tonic sol-fa system.

189. Is the band a success?—Yes; it is.

190. Can you say if the boys are on friendly terms with the Brothers?—Very friendly. I have seen nothing to lead me to suppose to the contrary.

191. Do the boys seem well fed and cared for?—Yes.

192. Are they well clothed?—Yes. They appear to be decently clothed. I have been at work up there, and I have had meals with the band boys.

193. Did you have some of the celebrated Irish stew?—No; I had bread and meat and cheese.

194. Have you seen the ordinary boys at meals?—I have seen them at a distance. I never saw signs of them not having enough to eat.

195. And you have heard no complaints that they did not have enough to eat?—No.

WEDNESDAY, 1ST AUGUST, 1900.

HECTOR CERF, known in religion as BROTHER LOETUS, examined on oath.

1. *Mr. Fell.*] You are the director of the Stoke Orphanage and a member of the Marist Brothers?—Yes. I have been a member of the Marist Brothers for forty-three years, and have held my present position at Stoke for eight years and a half.

2. Before that, where were you?—In Sydney, holding a similar position as director of a school.

3. The Marist Brothers are, I understand, a French brotherhood, vowed to celibacy and poverty?—Yes. There are about six thousand members of the Order, with branches all over the world.

4. What is the primary object of the Order?—Teaching the poorer classes.

5. Is there a centre in Australia?—Yes; in Sydney there is a provincial house, and the head officer of the provincial branch is styled the Brother Provincial.

6. Were you the first director of the brotherhood at Stoke?—There was one before me. The Brothers had had charge of the institution about eighteen months before I took office.

7. How many Brothers are under your control?—Nine and a lay-teacher.

8. Of what nationalities are these Brothers?—French, Irish, Belgians, Australians, and English. They are all British subjects.

9. Are they all proficient in the English language?—All of them.

10. What are your duties at the school?—I superintend the whole management.

11. Who are the other Brothers, and what are their duties?—Brother Damien, in charge of the farm; Brother Patrick, in charge of the kitchen; Brother Augustine, in charge of the cleanliness of the house; Brother Wibertus, in charge of the tailoring and clothing; Brother Cuthbert, in charge of different farm departments; Brother Kilian, in charge of the boys when out of school; Brother Finian, assistant prefect; Brother Lenner, in charge of some portion of the farm, including the hop-garden. Brother Kilian is the prefect, and is answerable for the boys' whereabouts and behaviour when out of school. Brother Albius left a couple of months ago. There is also John Dwyer, lay-teacher; and in addition certain workmen are employed permanently. They include Patrick Clark, chief ploughman; Tom Fowler, second ploughman; Frank Curran, baker. Mr. McGee does the gardening without pay. Brother Augustine teaches the higher standards; Brother Wibertus the Fourth Standard; Brother Cuthbert the Third; and John Dwyer the Second and First.

12. Will you state the ordinary routine of the day?—Rising and washing at 6 in the summer, and 6.30 in winter. There is ample provision and water for washing. No brushes and combs are kept. The boys' hair is always kept as short as possible, as it is the best way of insuring cleanliness, freedom from vermin, and general health. Half an hour after rising there are prayer and study of memory-lessons; breakfast at 7.30; after breakfast recreation from about 8 to 8.30, according to the season; then work in the household and on the farm until 11.30; then recreation in the playground until 12, when the boys have dinner, both in summer and in winter. After dinner recreation till 1 o'clock; then school till 4, with a ten-minutes recess at 3. From 4 to 5 recreation; then school again until 6.30, when they have tea, followed by recreation until 8; then the boys have prayers and go to bed. On Wednesday tea is at 6, on account of band-practice at 6.45. On Saturday afternoon recreation in the cricket-ground, and band-practice at 3 o'clock. On Sunday drawing, letter-writing, and singing from 10.30 to 12.30. Dinner at 1 o'clock. The boys rise at the usual hour on Sunday mornings, and attend Mass at 8.15. The afternoon is devoted to recreation, cricket, and football, according to season, and any games the boys fancy. There is bathing every day at 4 o'clock, when the weather permits. Two hundred or three hundred boys can swim in the bathing-hole at once; they all learn to swim. The little ones go in by themselves. Mass is celebrated generally about three times a week: in winter at 7 o'clock, and in summer at 6.30. There are four dormitories, each in charge of one Brother. There is also a dormitory superintended by the lay-teacher. The nights pass very quietly, and I have never known of a disturbance or pillow-fight.

13. *Mr. Fell.*] What baths are there on the premises?—There is a small one in the lavatory. In the winter the boys wash their faces in the morning, and their feet on Saturdays.

14. *Mr. Wardell.*] Is there no other house-bath?—No. We have tried the washing-tubs, but they are not a success, as the boys found it chilly when they came out. Mr. Hogben has recommended proper baths, and we expect to have them in a short time.

15. *Mr. Fell.*] Is there any arrangement for providing hot water?—Yes. In the lavatory hot water is supplied from the kitchen when the fire is in. I cannot say the boys wash themselves with hot water, but it is available.

16. *Mr. Bush.*] When are the boys supposed to have baths in the winter?—There has been no regular system of winter baths.

17. *Mr. Wardell.*] At what time do the boys wash their feet on Saturdays?—Generally in the afternoon, in the lavatory; or it might be done any other day. As a rule, a wash all round is insisted on on Saturdays.

18. *Mr. Fell.*] What are the cooking arrangements?—There is a stove, with two open boilers, in the kitchen. One of the boilers is used for the stew when there is stew. One of them was used for a long period for soup; but the boys did not relish the soup. Colonials, as a rule, do not care for soup. We have lately imported, through Wilkins and Field, a new range at a cost of £92. We have had this nearly a year; but at present we cannot find room for it. We expect the Brother Provincial to arrive here in a few days, and he will be consulted about the fixing of the range.

19. *Mr. Wardell.*] Is the range on the premises?—Yes.

20. *Mr. Fell.*] What is the dietary scale throughout the year?—Our institution is now in a state of transition. Some reforms are being made, and, of course, existing errors must be corrected.

21. You recognise that the result of this inquiry should be of assistance to you?—It will be if the Government put us in line with Government industrial schools.

22. You would be very glad of that?—Yes.

23. Now, what about the food?—There has been a great sameness in the food, but it is not so unbroken as represented. At times the boys have had pork—roast, boiled, and fried—but they do not like it. The stew is made of meat, potatoes, onions, vegetables, more or less abundantly according to season, with pepper, salt, and herbs to give flavour to it. Mutton and beef are both used. We generally keep our cattle for the winter. We have bought some meat, but we generally kill our own. The habit has been to put the meat into the stew, as that is the best way to save the nutritive part of it. There may be an objection to an unbroken continuance of it.

24. What has been done with the deer shot by Clark?—It has all been eaten on the premises, with the exception perhaps of a piece sent to a friend. The venison generally went into the stew-pot.

25. What did the boys have to drink at the midday meal?—Generally water. On Friday they have tea, as there is no meat.

26. Is there a sufficient quantity of meat in the stew every day?—An abundance. Every boy gets as much as he wants. The meat is equally divided.

27. Do you know how much meat and vegetables are used per day?—The averages are: meat, 56 lb.; potatoes, 150 lb. Sometimes as much as 12 lb. or 15 lb. of other vegetables are put in, according to season.

28. The potatoes have to be cleaned, of course?—Yes.

29. Have you eaten this stew yourself?—Yes; we have it on our table. It is made in the same way.

30. Is it cooked in the same vessel?—It is cooked in another pot; but we get the same ingredients. We generally have it in the evenings.

31. What do you have yourself in the middle of the day?—Potatoes, and bread and meat.

32. *Mr. Wardell.*] Do you have a cooked hot joint in the middle of the day?—Yes.

33. *Mr. Fell.*] Do the boys have bread for dinner?—Yes.

34. Do the boys have enough, or do they go short?—There is more than enough. The other day I went on purpose to see what was left over. There were five big dishes. Boys have never complained to me about not getting enough dinner.

35. *Mr. Wardell.*] Do you mean they have never approached you, or held up their hand?—They have never approached me with a complaint; but they have frequently held up their hand, and been given more. This was the signal arranged to be given.

36. *Mr. Fell.*] Have you ever asked the boys if they have had enough?—No; I have been convinced of it. I have been in the room at meal-times, and the boys have never signified that they have not had enough. There is always a large quantity of food wasted; but I have been afraid to make any remark lest the boys should think I wanted to stint them.

36A. *Mr. Wardell.*] If a boy holds up his hand, what happens?—A Brother is there, in a kind of pulpit, and he attends to him. This Brother is not bound to remain in one position, but he may walk among the tables. When a boy holds up his hand the Brother will give him the food, or depute a boy to get it.

37. *Mr. Fell.*] Who serves the boys?—One boy at each table. The dishes are put on the table. They are large enamelled pie-dishes.

38. *Mr. Wardell.*] How many dishes are there at each table?—On some tables there are one, and on others two or three, according to size. The dishes are about three inches and a half deep.

39. *Mr. Fell.*] Is the food served out by the boys themselves?—Yes. A Brother keeps his eye on them to see that it is done fairly.

40. How long have the boys had bread with the midday meal—during the last year?—They have lately had it regularly. Fifty to sixty 4 lb. loaves are eaten every day.

41. What do they have for breakfast?—Porridge every second day, with sugar and milk; also bread, butter, dripping, syrup, tea, and at times honey. In March last I bought half a ton of honey, and it is now nearly all gone. It was all consumed on the premises. Last year we had a little—not so much.

42. How is the dripping produced?—The suet is melted down, and pepper and salt are put in it.

43. How is it applied to the bread?—At first the butter and dripping was applied with a knife; but, as some slices got more than others, complaints arose, and it has been found that the best plan is to melt the butter or dripping and to steep the bread in it. Since then there has been no complaint. Each boy has two slices, one being steeped in the dripping and laid on the other. The honey is thinned with a little hot water, and served out the same way. Some like one on the bread and some another. So long as there is sufficient they do not mind. There is also jam in season. The following is the bill of fare:—

Breakfast (7.30 a.m.).—Sunday, Tuesday, Thursday, Saturday: Cocoa or coffee, bread and jam or butter. Monday, Wednesday, or Friday: Tea, bread and jam or butter, porridge, milk, and sugar.

Dinner (Noon).—Sunday: Cold beef or mutton, steamed potatoes, vegetables, pudding. Monday, Tuesday, Thursday, Saturday: Stew of mutton or beef, potatoes and vegetables, bread. Wednesday: Sausage or mutton, potatoes and vegetables, pudding. Friday: Tea, bread and butter, mashed potatoes.

Tea (6.30 p.m.).—Every day tea and bread, with—on Sunday, jam or butter; Monday, golden syrup; Tuesday, butter; Wednesday, dripping; Thursday, jam; Friday, golden syrup; Saturday, butter.

Fruit and pie in season.

44. *Mr. Wardell.*] How long has this been in vogue?—About two months. The visit of the Charitable Aid Board tended to the alteration. It was in vogue, to some extent, before. When we get the new cooking-range put in we shall have greater cooking facilities.

45. Sometimes you have cakes?—Yes; on an average once a month. A good batch is baked, and it generally lasts two or three days.

46. How about the milk?—We supply that ourselves. At present we have only five cows in milk, and that is the smallest number we have had. The most has been thirteen. Every drop of the milk is consumed at the Orphanage. We have a separator, and the cream, as a rule, is separated. We make the cream into butter, and use the milk. The sick get unseparated milk.

47. You have a vegetable garden. How many acres do you suppose there are?—I should say between 8 and 10 acres. We grow our own potatoes.

48. Do you grow any fruit?—We have an orchard. The boys do not give the fruit a chance to grow. The boys get fruit.

49. *Mr. Wardell.*] Have you bought fruit?—Yes.

50. *Mr. Fell.*] Where do you get your flour?—From Mr. Rutherford and Mr. Croucher. We grow some corn ourselves and send it to the mill. Mr. Rutherford would be a good reference as to the quantity of flour used. During the last two years £485 16s. has been paid for flour, besides the consumption of 1,100 bushels of wheat of our own growing.

51. You give the boys mustard-and-water: under what circumstances?—As an emetic it is

an old English remedy. It is not an alien method. I found it in vogue when I came to the school. Drs. Duff and Roberts, who have been the medical officers of the school during my time, have been aware of the practice, and have not disapproved of it. When a boy has a headache or is bilious he is given the mustard-and-water and put to bed. Soon afterwards he falls into a nice soothing sleep, and when he wakes up he is ready for his meals and has no more headache. The strength of the mustard-and-water is according to the strength of the boy. I and every Brother except one have taken it. I thought the effect was magic on me, anyhow. It has also been used in cases of influenza. The boys are also given castor-oil. Some of the boys do not like it; but many of them do, and come for it.

52. *Mr. Fell.*] You have a medical officer attached to the institution?—Yes; Dr Roberts. If there is any serious ailment, it is reported to him at once.

53. During the last two years have there been many cases that have not been effectively remedied by the mustard?—Only one, that we had to report to the doctor, for whom we have little need. There is one boy in the Hospital suffering from bad blood.

54. *Mr. Wardell.*] Which doctor attended to the one case you speak of?—Dr. Roberts.

55. *Mr. Fell.*] Has there been any case of any sort of pulmonary disorder among the boys?—No; not one. Not even the appearance of it. At present there is no cough among the boys. This has been the ordinary experience during my time.

56. There have been during your time some deaths?—None for the last six years and a half. During the last eight years and a half four boys have died, including one who died in the Hospital.

57. Where are boys who die buried?—In the public cemetery within the grounds of the institution. Two Brothers have been buried there; also Mr. Patrick Byrne, of Richmond—the last-named by special request.

58. Describe the boys' clothes. We have heard of what is called the picnic or visitors' suit?—We call it the gala suit. We generally buy these from the shops in Nelson. Not long ago we bought two hundred of the suits from Sclanders and Co. These are complete suits—coat, waist-coat, and pants. These are used on special occasions—when visitors come, or boys go out. Sunday suits are made of this material. [Sample produced.] I import it from France. It is very durable and warm stuff. When the suits become dingy the boys wear them as their everyday suits. Sometimes they require to be patched, and the boys learning the tailoring trade in charge of one of the Brothers do the patching. At present eight boys are learning the tailoring trade. They are taught machine-work as well. The trousers are made out of the same stuff. This material [sample produced] is also got from France. It is a French linen, and commonly used by the working classes in France. It is very good, durable, and warm. We make the shirts from it. We get the hats from the shops.

59. Do the boys wear any under-jersey or singlet?—They do not, except one or two, neither winter nor summer. Of those who have them some get them from their mothers. Each boy has a woollen guernsey, like the ordinary football guernsey. During the past few years we have got the boots from Messrs. O'Brien and Co., Christchurch. They are first-class boots, and nailed. Those who wear knicker suits wear long stockings. Each Brother in charge of boys has to supply his boys with stockings from the stock. When the supply ran out he would come to me for a new lot.

60. I understand from one boy that the boys wear the socks without washing till they wear out, and then throw them away. Is this so?—I could not answer for that. I always supply sufficient stockings. During the last three years 301 dozen pairs have been purchased, including 53 dozen supplied by Mr. Allan in June.

61. Was the previous stock practically exhausted when you bought those from Allan?—Yes; practically.

62. *Mr. Wardell.*] Have all the stockings referred to been obtained from the same source?—No; from three different places in town.

63. *Mr. Fell.*] You have prepared a short statement showing the total income and expenditure during the last two years?—Yes; I will read the items of approximate expenditure:—

	£.	s.	d.
Wages	311	16	0
Rates, insurance, and interest	797	16	0
Bread (besides 1,100 bushels wheat grown on the premises and consumed as flour)	495	16	0
Meat (besides 600 sheep, heifers, cows, and steers grown on the place)	89	12	0
Seeds	66	0	0
Boys' clothing	594	0	0
Brothers' keep and expenses	283	0	0
Groceries	560	0	0
Coal	60	0	0
Ironmongery, roofing-iron, wire, &c. (including stove, £92)	307	10	0
Potatoes (besides 40 tons grown on the place)	40	0	0
Painting and glazing	70	0	0
Timber	28	0	0
Stationery	40	0	0
Butter (besides what was produced on the place)	40	0	0
Stamps, and travelling-expenses	30	0	0
Carts and harness	40	0	0
Blacksmiths	40	0	0
Sheep-dip, binder-twine, &c.	10	0	0
Pigs and rams for breeding	8	10	0

The total amounts to £4,421 and a few shillings.

64. *Mr. Fell.*] And what were the receipts?—The total was £4,944 12s. 3d. This leaves a balance of £523 1s. 3d., which is now in the savings-bank for emergencies.

65. Besides the wool and hops sold, was all the other produce used on the premises grown there?—Yes. The only exception has been that this year the Brother in charge of the poultry has sold a few eggs to provide the cost of a new fowlhouse.

66. The Brothers' keep and expenses do not include anything in the way of wages?—No. We only get our keep and clothes; and the £15 a year which is sent to Sydney for the clothes of each Brother is included in the £283. The cost of transfers of Brothers is also included in this sum.

67. *Mr. Wardell.*] Are the clothes for the Brothers sent from Sydney?—Yes.

68. *Mr. Fell.*] Of the balance of £523 nothing has gone, directly or indirectly, to the Society of the Marist Brothers?—Not a penny.

69. One of the objections urged against the school is that there are no women in the establishment. Under your rules, of course, that could not be?—It could not be.

70. I stated to the Commission that you would be glad if an arrangement could be made for Official Visitors, male or female or both, to visit the school periodically. Are you agreeable to this?—I would be very glad indeed.

71. With reference to the work done, have you ever been up the hill referred to?—I went up the hill once; but never had anything to do with the actual work—if you could call it work.

72. What do you mean by that remark?—Well, on it being announced, even the day before, that the boys were to go up the hill, there was great jubilation amongst them, as it was always considered to be a holiday. On the following morning they would always go off with cheers. I can only recollect one boy who seemed to be discontented with the work. I cannot now remember who he was. That was far beyond two years ago. The boys have been up comparatively seldom during the last two years.

73. Can you, of your own knowledge, say how often upon one day the boys have been sent up the hill and then down again?—Not more than twice. They sometimes made several trips from the recreation-ground to the boundary-fence.

74. What have you to say about the punishments at the school?—As regards school punishments, there has been only caning on the hands. This method is approved by our Superiors. They do not approve of castigation on the body. The punishment on the hands has been inflicted till lately. A strap has recently been used in deference to the wish of Mr. Hogben.

75. When you came to the institution, were the cells in which Maher and James had been confined existing, or have they been built since your time?—The one on the ground-floor existed when I came. The tower-cell was built since by one of the Brothers. It consisted of wood, except the roof, which was of galvanised-iron. The door was of wood, and fastened with a bolt and padlock. The cell has been well described by the previous witnesses. The cell downstairs, which existed before I came, is part of the original building. The boards in front of the window were taken off for the same reason as the cell upstairs was pulled down. This was done in consequence of the visit of the members of the Charitable Aid Board, and the representations they made. The downstairs cell is now used as a small office for one of the Brothers.

76. Why were the boards put in front of the window of the lower cell?—For various reasons. One of the inmates of the cell named Willis escaped through the bars, and we had to board up the window. The rays of the sun were also rather too strong in the afternoon; and there was more or less communication with the outside. There were ample light and air. One board was close to the top; and the other spaces between 1 in. or 2 in. wide. It was light enough in the cell to see to read. There was a crescent-shaped opening in the glass near the bottom board, under which there was an open space.

77. *Mr. Wardell.*] There was no large opening between the bars through which the sun could come?—The sun could not come in.

78. *Mr. Fell.*] Mr. Harley thinks there was an open space where one board was left out. Was that so?—I believe so.

79. Under what circumstances was confinement in the cells inflicted?—Ten boys have been confined since I have been there. During the last two years, boys have been confined there for absconding and insubordination, and three for immorality—one serious case and two minor ones. We did not keep a punishment-book, but I can recollect the boys who have been confined during the past two years. The period in each case may have been from two days to three weeks, or even perhaps three weeks. Leonard Willis, James Lowe, Henry Clements, Herbert Kirk, James Newman, Alfred Skilton, Clarence Shepherd, Walter Henry Yeadon, James Maher, and Alfred James were all confined for absconding; James McMenamín for insubordination and absconding; Morris for defiance and insubordination; and Charles Miller for house-breaking. Three boys were also shut up for immorality. Two of these have since left the institution, but one is still there. Willis, Lowe, Clements, and Kirk, were in a week each. Newman's time I cannot remember, but I do not think it was more than a week. Alfred Skilton was in two months and three days; but that was while he was awaiting removal to Burnham. Shepherd, who was the companion of Skilton in running away on one occasion, was in for a fortnight or three weeks. Yeadon, Maher, and James were all in a week. McMenamín was only in three or four days, I believe; Morris two or three days; and Miller two weeks. In one of the minor cases of immorality, the period was two or three weeks, and in the other it was only six days. The third case of this kind was a very serious one; and, on account of the boy's brutish instincts, he was a danger to the rest of the inmates, and it was impossible to leave him by himself. I had to keep him locked up. But he was taken out every afternoon in charge of a Brother for a great portion of the period, and in the morning as well a great deal of the time. While this was going on, I was communicating with the boy's people, and at last I succeeded in getting them to take him away.

80. *Mr. Wardell.*] How long was he in the cell altogether?—About three months. I could not possibly leave him in communication with the other boys. His food was not interfered with.

81. *Mr. Fell.*] How about those confined for the minor offences of that nature?—They were deprived of their tea for two or three days at most—sometimes perhaps at most for four days. Otherwise the food, which was taken to them by the Brother in charge of them, was never interfered with. They were seen by the Brothers four times during each day, and also the last thing at night. Some of the boys confined in the cells were taken out to work in the fields, and some were not. In some cases the teachers preferred that the boys should study their lessons, so as to have a good chance at the examinations. The boys were taken out to Mass. Skilton was taken out regularly in the afternoons, and occasionally in the mornings also.

82. Why did you keep Skilton locked up so long?—It was not possible to keep him at the school without locking him up. He was an habitual absconder, and he had told the Police, after he was brought before the Supreme Court for stealing a horse and cart, and ordered by the Judge to be sent to Burnham, that he would run away again on the first chance. During the last two years he was confined each time he absconded. Shepherd and Maher have absconded twice during the last two years.

83. Did all the boys know what would be the consequences of absconding after being brought back?—Yes; they knew it perfectly well.

84. Can you say whether the boys suffered physically from the confinement?—I do not think so. The majority preferred being there to being at school. Hence the necessity for giving some slaps on the hands, and sometimes depriving them of their tea. That was the only punishment that would effect them in any way.

85. What was the reason of adopting the confinement if it had so little effect?—Because if other adequate punishment were given for absconding, the boy would be off again as soon as he was punished, and he would probably complain of bad treatment.

86. Do you prefer the punishment by confinement?—I would prefer to give the boys a good flogging to locking them up.

87. Do you not think it would be better, when the boys are brought before the Magistrate, if they were ordered to be punished by the Police?—I would prefer that. When Maher and James were brought before the Magistrate, he ordered them to be returned to the school, and there punished in accordance with the regulations. That was carried out. I would prefer that the Police should inflict the punishment before the boys are sent back, and thus be done with it.

88. You have a band at the school?—Yes. At present there are thirty-five performers. The instruments were provided by public subscription. Several of the former members are now members of other bands in different parts of New Zealand. The boys who are found to have any talent for music are selected for the band. They like the band, and often go out to play in town and elsewhere.

89. What about ordinary games?—The boys have all the ordinary games, and go into them with great enjoyment.

90. When are the "picnic" suits put on?—When there is any great gala day, and when the annual picnic is held. This is generally held in Richmond Park. The boys also go out to the principal festivals and demonstrations in town. They often take part with the band in school demonstrations and processions in town.

91. Is there anything else you would like to refer to?—Yes. I think this morning I got somewhat confused about the washing of the boys. Before Brother Kilian took charge there used to be a regular time; but, as he is not a favourite with the boys, the rules have been more or less relaxed, and the Saturday washing has not been as regular as I could have wished.

92. Can you tell us anything about the cases in which Brother Kilian is said to have given boys punches or pushes, and strokes on the back, chest, and neck?—Brother Kilian has the most arduous task in the whole Orphanage, as he has charge of the boys when they are at play out of school hours. He is the Prefect; he has to check the boys' behaviour; and it is natural, of course, that boys will more or less resent this, and that he will not be a favourite with them. His least offence may be magnified by the boys, but I do not say that there may not be some truth in what they say.

93. I do not understand that you deny that Brother Kilian has struck boys as described?—I do not deny it, although it was not reported to me except in the case of James Owens. I asked him to show me his marks. He could not show me any marks, except a tear or watery appearance of the eye. This did not appear natural, but it could hardly be called blood-shot. The boy told me it was the result of a blow, and I took it as such. Brother Kilian is a naturally impulsive man. I have had many conversations with him on the subject. About last Christmas he asked to be relieved of his position, and I expect he will shortly be relieved.

94. Have you any complaint to make about other Brothers exceeding their duties?—No. When Brother Wibertus had Brother Kilian's present duties there was the same discontent among the boys, and this accounts for the remarks made against him. He had not been disliked since he ceased to be Prefect.

95. *Mr. Wardell.*] How is it, if Brother Kilian asked to be relieved as far back as Christmas, he is still at the school?—Our superiors have not always a man ready for an emergency. The Brother Provincial, who has control of such matters, will be here in a few days, and will have full authority to make a change.

96. How did you become Director of the school?—I was appointed by the Superior-General of the Order.

97. Do you hold any legal position recognised by the Government?—No.

98. Who does?—Dean Mahoney. He is the Legal Manager.

99. Are you subject to him, as Legal Manager, in any way for directions and orders?—Not directly; but I would take any suggestion from him as my superior. I would not recognise him as having authority to give orders.

100. To whom do you consider yourself responsible for the management of the school?—In certain respects to Dean Mahoney. In reference to the staff, I am responsible to the Brother Provincial at Sydney.

101. With regard to the discipline and management of the school?—I am responsible for that. If I did not consider myself competent it would be my duty to ask to be relieved.

102. There are very few positions in which a man has not some one above him. To whom do you consider yourself responsible?—To the Brother Provincial. If I were to propose to flog boys, or if there was anything wrong, he would naturally remonstrate.

103. *Mr. Fell.*] Did you consider it your duty, and did you report the system of solitary confinement to Dean Mahoney?—He not being responsible for the order and discipline in the school, I did not consider myself at all bound to report it to him, and I did not do so.

104. *Mr. Harley.*] Has Dean Mahoney any power to remove you from your position?—He has not; but to a certain extent my superiors would have regard to any requests made by him. The Brother Provincial has power to remove me or any of the Brothers.

105. Has no one in New Zealand any control over you?—No; except the Government Inspector, who pays an annual visit in regard to the school work. No one in New Zealand has any real right to interfere with the internal management of the school, but I would accept suggestions.

106. How often does the Brother Provincial visit you here?—Twice a year.

107. Have you no power to remove the other Brothers?—I have not. If one wishes to be removed, I forward the reasons to the Superior, and if he sees fit he removes him.

108. Dean Mahoney is Manager under the Industrial Schools Act: what part of the management has he?—He has the transactions with the Education Department, and receives the money, which is the principal thing.

109. Does he hand the money over to you?—Yes.

110. How does he know what becomes of it?—He can see for himself.

111. Have you a bank account in your name?—Yes. Dean Mahoney pays me by cheque, and I draw on my account in the same way.

112. Do you render any account to Dean Mahoney as to how the money is expended?—No; he gives us full control over the finances.

113. How about the boys who are licensed out?—Dean Mahoney attends to that. After the boys leave I have no more to do with them, except when they are sent back. When they are licensed out Dean Mahoney receives their money and notifies the Government.

114. Who returns the particulars of deaths, if any?—I report to Dean Mahoney, and he to the Government.

115. What do you do with the profits after paying expenses?—It is banked for emergencies, such as interest, and, if possible, paying off a portion of the debt on the estate, which is £5,000.

116. To whom does the property belong when the debt is paid?—To the archdiocese.

117. *Mr. Wardell.*] It does not belong to the Order?—No.

118. *Mr. Harley.*] What is the property valued at now?—I should say about £10,000, including the building.

119. Will you tell us about the confinement in the cells, and what other punishment the boys received when there?—For a few days they received four to six slaps on the hand once a day. It all depended on the circumstances of the offence. It might have been two or three days, or even four days; but it would not go beyond four.

120. I understand you have only one small bath on the premises?—Yes; one in the lavatory.

121. Then, there are not sufficient bathing appliances?—No; but we are determined to have them.

122. Brother Kilian pulled down the upper cell, and the boards off the lower cell. You stated that this was done in deference to the wishes of the Charitable Aid Board?—Yes.

123. The Board did not express any desire that they should be pulled down?—Well, they did.

124. Did they in so many words?—Yes; when I met Mr. Rout he told me he had heard of certain methods of punishment, and said that if it could be arranged among ourselves he did not intend to give publicity to it. Mr. Rout also, as the visitors were leaving the room, expressed his admiration of the institution, and said that "everything was tip-top, except one blot."

125. *Mr. Wardell.*] Did any of the members ask you to pull the cells down?—Not precisely, but in a courteous way they expressed disapproval of the practice. I took that as a request. If we had not pulled them down, that might have been taken as showing we were headstrong and did not wish to abide by the Board's desire.

126. *Mr. Harley.*] Did Dean Mahoney tell you that you must remove the cells?—No.

127. *Mr. Bush.*] Did he know they were there?—I do not think he did.

128. *Mr. Harley.*] How long had the cell been under the tower?—Eighteen months or two years. The other one was always there.

129. Well, then, if Dean Mahoney did not know of the cell downstairs, he could not have inspected the room well?—He knew it as a room, but never suspected its use for that mode of punishment. He knew this as part of the building, and he also knew of the room under the tower.

130. You have stated that you do not approve of some of Brother Kilian's actions: were you aware that Brother Wibertus was severe on some of the boys?—He is not severe now. When he had the same position as Brother Kilian he used to be severe sometimes, because he had need for it.

131. Did you remove Brother Wibertus from that position?—The band came into existence about that time, and thus more of his time was taken up. The prefect is never liked by the boys.

132. The boys have dripping, or suet melted down?—Yes. It is generally fat from sheep, or other suet.

133. How is it melted down?—It is put into the oven, and pepper and salt put into it.
134. That would only be simple tallow. There is a difference between dripping and tallow?—Yes; properly so called.
135. *Mr. Wardell.*] What fat do you use?—The kidney and other surplus fat.
136. Turning to your list of expenditure, I find that £50 is set down for groceries: can you give me some of the items?—Yes; sugar, tea, coffee, spices, salt, honey, &c. We bought half a ton of honey for £11.
137. *Mr. Hogben.*] When you stated you were director of this school you referred to your position in the Marist Order?—Yes.
138. You have no legal or official position?—No.
139. Has Dean Mahoney any legal authority over you?—No; he is the Manager of the school.
140. Supposing the Department asked the Manager for a return of boys in the school, could you refuse to allow Dean Mahoney to count them?—We could not refuse that. This would not be a matter of discipline or order.
141. Supposing, under instructions left by Mr. Pope under my directions last Christmas that a return of any change of status of inmates should be made at the end of each month, Dean Mahoney were to ask you for a return in detail of the boys in the school, could you refuse to furnish him with those particulars?—I could not.
142. Supposing the Department or the Government (not that it intended doing anything of the kind, of course) ordered a change of diet, or you understood that the Government wished a change of diet to be made, could you refuse to make it, even if you had the means?—I would not refuse it.
143. Do you think that you could refuse? Supposing Dean Mahoney told you that it was a request from the Government, do you think that your position is such that you could refuse to carry it out?—I could refuse it, but I would not.
144. Supposing Dean Mahoney of his own motion were to think that the diet might be improved, and if he were to ask you in his official position as Manager to alter the diet, do you think that you have power to refuse to do it?—If he would prove the necessity for the change, of course I would abide by his suggestion.
145. Supposing it did not comply with your own judgment, and Dean Mahoney as Manager asked you to do it?—I think I would do so.
146. Would you feel bound to do it?—I would not feel myself bound to do it, but through courtesy and reverence for his position I think I would do it.
147. Supposing the Government asked Dean Mahoney to adopt regulations for the teaching of some given subject in the school, and Dean Mahoney as Manager directed you to do it, would you feel bound to carry out that request?—Yes; I would feel bound to do it.
148. Supposing some directions in regard to punishments came to Dean Mahoney from the Department, would you feel bound to carry out such a request?—Yes, I would.
149. Supposing it came from Dean Mahoney himself as Manager?—It would depend upon the nature of the request.
150. Would you feel bound, if a request came from Dean Mahoney as Manager, to adopt any specific code of punishment?—No, I would not, unless coming from the Government department.
151. Supposing that Dean Mahoney, as Manager, asked you to give all the boys singlets, would you feel bound to do it?—I would, in one way, and I would do it. I do not say I would feel bound to do it as a duty.
152. Supposing it did not agree with your judgment to give the boys singlets—or supposing he requested you, as Manager, to supply some article which you thought unnecessary, would you feel bound to supply it?—(Question not answered.)
153. Supposing that Dean Mahoney, acting as legal Manager, asked you, as a Government official, to do something in connection with the internal discipline of the school, would you feel bound to do that?—I cannot well answer that.
154. *Mr. Fell.*] Supposing Dean Mahoney ordered you, as representing the Government, to abolish cells, would he be obeyed?—Oh, yes—if directed by the Department to do such a thing I would.
155. *Mr. Bush.*] Supposing Dean Mahoney came to you and said, “Do this thing,” and you said, “Have you any instructions from the Government?” and he said “No,” would you do it?—I would do it through courtesy.

EDWARD JOHN ROBERTS, examined on oath.

156. *Mr. Fell.*] You are a duly qualified medical practitioner, and medical attendant to the Stoke Industrial School?—Yes; I am not a salaried officer, but am paid for my services when called in.
157. You are thoroughly acquainted with both the Brothers and the inmates, and the working of the concern?—Yes; I am in the habit of visiting there frequently.
158. Has there been much sickness there during the last two years?—No; there have only been trifling ailments, and, considering the number of boys, and the class from which they come, I consider they are remarkably healthy.
159. Are the boys well nourished and well developed?—Yes; as far as I saw.
160. Have you observed any signs of the results of insufficient clothing, or poverty, or insufficiency of food?—Not in the boys that came under my notice. I attend the Orphanage as I would a private family. I could not find any fault with the food or clothing.

161. Have you any reason to suppose that there are any shortcomings in any direction?—No; I have not.
162. There is one boy at the hospital: what is the matter with him?—Yes, Sullivan. He is suffering from acute bone disease. It is possibly hereditary.
163. Have you ever heard any complaints as to the insufficiency of clothes or food, or of bad treatment?—Never.
164. Have there been any deaths there during the last two years or more?—Since I have been medical officer there have been no deaths among the boys.
165. They are not very profitable patients?—Not to me.
166. *Mr. Harley.*] I suppose the boys do not say much to you?—Yes; I have asked them how they were getting on, and about their treatment in the institution. I have done that frequently.
167. They would tell you "All right," I suppose?—Yes. Certainly their answers were very favourable to the institution.
168. I suppose there has to be a considerable want of both clothing and food before boys begin to show it—that is, it must be long continued?—It depends upon the constitution to a great extent. Some would go under far more quickly on low diet than others.
169. In ordinary practice do you find many children suffering from the want of clothes and food?—No.
170. I suppose there are some not overfed or overclothed?—Yes; there are some in Nelson, certainly.
171. Still, it does not appear to affect their health?—Well, ill-feeding and bad clothes must affect the health.
172. *Mr. Wardell.*] Long-continued short-feeding and bad clothes would affect the health?—Yes; of course, there would be emaciation.
173. *Mr. Harley.*] Short-feeding and bad clothes must be carried to a considerable extent before it makes itself manifest?—Quite so.
174. Have you been at the institution during the night on professional visits during the last two years?—Not that I can remember at present.
175. You have heard of the mustard treatment prescribed: is that your prescription?—No.
176. What would be the effect of giving a boy a teaspoonful or a dessertspoonful in a cup of water?—It acts as an emetic.
177. Do you use it in your own practice?—In cases of poisoning it is a handy thing to have.
178. When you want to make some one violently sick?—Yes.
179. *Mr. Wardell.*] Do you use it in your general practice for headaches, &c.?—No, I do not, as a rule.
180. You think it is injurious?—Oh, I will not say that.
181. *Mr. Harley.*] Have you ever taken it yourself?—No; I have never had occasion to. I have had great experience with mustard, and never knew of any ill-effects except that of being sick.
182. It causes a severe burning sensation inside, does it not?—When I have given mustard as an emetic, the patients have never complained of the burning.
183. *Mr. Bush.*] Perhaps you use it in cases of poisoning?—Yes; usually.
184. *Mr. Harley.*] Do I gather from you that it is a violent emetic?—Yes. Well, violent is rather too strong a term to use. It is an emetic.
185. The violence, I suppose, depends upon the quantity of mustard used?—Not always. It depends upon the person.
186. The Stoke district is a healthy locality, is it not?—Well, yes; fairly healthy. The majority of the Stoke residents belong to a lodge, of which I am surgeon, and I am very seldom called upon to attend any of them—once or twice a month, perhaps. It is a healthy locality so far as I am concerned.
187. *Mr. Fell.*] Would you not expect to find some result from continued ill-feeding and clothing?—Most certainly.
188. Did you see any such signs among the boys at the Stoke School?—I did not.
189. Have they suffered from any phthisical or lung disorder during the last two years?—No. During the whole of the time that I have attended the institution there was only one boy, and he was in the first stage of consumption. That was probably constitutional.
190. Do you consider the practice of giving boys mustard-and-water, followed by castor-oil, a reasonable or blameworthy practice?—Well, it is better to use mustard when you know its action than to use a patent medicine the action of which you know nothing. Sometimes I have gone to a boy of the school who was ill, and, on being told by Brother Finian that he had administered mustard-and-water, I have asked the boy how he felt, and he has said, "I am much better to-day." No mustard has ever been ordered by myself. The boys seemed to thrive upon it.
191. Have you ever suggested that it is an improper remedy?—No; I did not know it was used generally. In the special cases I am speaking of it did not do any harm.
192. *Mr. Wardell.*] Have you seen anything in the institution to lead you to consider that the boys generally were suffering from short feeding or clothing?—No.
193. You have never seen or observed anything to lead you to suppose they were so suffering?—No.
194. *Mr. Bush.*] If you were called in to see a boy suffering from headache, would you prescribe mustard?—It would all depend on the cause of the headache. I would have to diagnose the case. If it arose from overfeeding, an emetic would not hurt.
195. Supposing you were called in to see my child, who had a headache, would you prescribe mustard?—No.

196. *Mr. Wardell.*] Supposing, on being called in in an ordinary case of headache, you found that the parent had given mustard as an emetic, would you consider that a gross error of judgment or an impropriety?—No; I could not say that it would be an error of judgment. All persons have their “fads” as to treating complaints of children, and very often they run these “fads” to death.

197. Do you think that there is any cruelty in the use of mustard at the school?—Not in any cases that came under my notice.

198. *Mr. Bush.*] We understand that in every case when a boy had a headache a Brother gave him mustard, without any inquiry as to what was wrong with the boy? Do you consider that right?—Well, as a professional man I certainly cannot.

199. Do you think that a boy, shut up in a cell for eight days, with bread-and-water for breakfast and tea, and Irish stew for dinner, would suffer any detriment to health?—Well, he would suffer some detriment; but it all depends. Boys of a nervous temperament would suffer; but others would just delight in it.

200. *Mr. Hogben.*] In what clothes did you see the boys?—In their working-clothes as a rule, except on special occasions.

201. Had they any singlets or under-pants?—Some had. In one case I remember a boy who was running about with his chest bare. I noticed that he wore a singlet and a dark-blue jersey. The buttons and button-holes were both intact. He was playing about the yard. I buttoned up his under-shirt and jersey. I think that was in the winter-time. I cautioned him against going about like that.

202. Supposing some of them had no under-clothing, but had a shirt made with this material or of this [both samples produced], with no waistcoat, and a coat made of this material [sample produced], which I assume is three-quarters cotton; and supposing both garments to have been worn considerably, would you consider that sufficient clothing in winter?—I do not approve of this (the shirting) being worn next to the skin in winter. The coating appears thick and warm, and would be sufficient if well lined and padded.

203. But it would not make up for what is wanting in the shirting?—No; I am afraid not.

204. I suppose I am correct in saying that in the opinion of some experts ill-clothing will lead to some such results as under-growth and small development in children, without any organic disease?—Yes; you are quite right. But I have never noticed any such signs in the cases that came under my notice at this school.

205. You have not been asked to inspect the whole of the boys with the view of obtaining your advice as a general medical attendant?—No.

206. Supposing a boy had a jersey in addition to the coat and shirt made from the material shown, would he be sufficiently clothed?—Yes.

207. Supposing the boys confined for two or three months in the cells, would it affect their health?—That, as I said before, depends on the temperament. Some boys like being alone; and some do not. Some lazy boys would probably feel happy in having nothing to do. Other boys would feel it very much, and that would affect their health.

208. *Mr. Wardell.*] Would you advise such a system to be continued?—No; not for such a time.

THURSDAY, 2ND AUGUST, 1900.

HECTOR CERF (known in religion as BROTHER LOETUS), examined on oath.
(Evidence resumed.)

1. *Mr. Hogben.*] Section 11 of the Industrial Schools Act reads as follows [section read]. You are aware that Dean Mahoney has been appointed Manager of the Stoke School under that section?—I am aware of it.

2. I wish you to clearly understand that I am now referring to Dean Mahoney only in his official capacity as manager. Supposing the regulations regarding punishments, which apply to Government Industrial Schools, were applied to your school; and supposing at the end of the month your punishment-book contained an entry stating that a certain boy or boys had received certain punishments for, say, a grave moral offence; and supposing the Manager, in his judgment, without any reference to the Department of Education, were to instruct you to append a note stating precisely the nature of the grave moral offence. Would you feel free to refuse to comply with that instruction?—I would not be free to refuse.

3. How do you distinguish between that case and the other case referred to yesterday afternoon?—When you were asking me yesterday, I had in mind my moral ideas of obedience. When the Manager speaks as Manager, there is nothing I could refuse. If Dean Mahoney said, “Brother Loetus, you are not fit to be Director; You must leave,” I would be obliged to take immediate steps to be removed. He could not remove me himself.

4. I understood you to say yesterday that if Dean Mahoney, at the direct request of the Department, asked you to do a certain thing, you would feel bound to do it; but that if Dean Mahoney, acting as Manager, but without the direct request of the Department, asked a similar thing, you would not feel bound to do it, though you would do it through courtesy?—As legal Manager I could not refuse it.

5. In a case like that how do you distinguish between moral law and legal obligation?—Both are binding.

6. You do not recognise that Dean Mahoney, as Manager, has the right to remove you?—He has the right to suspend me as director; but he could not remove me. I could not leave the school without the sanction of my Superior.

7. Suppose a case should arise concerning the internal management of the school—not affecting the life of the Brothers—in which the regulations of the Order were contrary to the directions of the Manager, which would you feel bound to obey?—The Manager. The Superior only directs the inner life of the Brothers.

8. Cases have arisen in the Government Industrial Schools in which it has been found necessary to summarily dismiss an assistant. Supposing such a case were to occur at Stoke, would you have the power of summary dismissal?—Dean Mahoney, as Manager, would have power of dismissal for bad conduct; but in other cases he would only have the power of suspension.

9. You remember the Inspector, Mr. Thompson, paying a visit to the school on 16th October last?—I do remember the visit; but not the date.

10. You remember driving out with him on the 20th October?—Yes.

11. Do you remember his asking a question as to whether solitary confinement as a means of punishment existed in your school?—I do not remember it.

12. Supposing Mr. Thompson, in the box, were to say that he did ask you that question, would you be prepared to contradict him?—I should say that I had not the least recollection.

13. Have you any recollection whether you told him, or whether you did not tell him, that there was solitary confinement at the school?—I have not the least recollection of the question being asked.

14. Do you remember showing Mr. Thompson the cell downstairs on 16th October?—I do not remember having shown him the cell, and I do not believe I did.

15. If he said you did, would you be justified in saying he was mistaken?—I would be justified in saying I had not the least recollection of anything being said.

16. If Mr. Thompson were to say that you assured him on the 20th October that there was no solitary confinement, would you feel justified in saying that his recollection was mistaken?—Yes; as far as my recollection goes.

17. *Mr. Wardell.*] Solitary confinement for a limited period is legalised under the Act. Taking it in that sense, have you any recollection of the subject being mentioned?—None whatever.

18. *Mr. Hogben.*] Do you recollect any conversation about punishments on that occasion?—No.

19. You know these regulations as to punishments in Government industrial schools, gazetted on 14th October, 1895?—I saw a copy in the hands of Dean Mahoney a few weeks ago.

20. *Mr. Wardell.*] Is that the first copy you have seen?—I had seen one once before, but I do not remember paying the least attention to it.

21. *Mr. Hogben.*] Do you remember a visit from Sir Edward Gibbes, of the Education Department, to the school on 27th July, 1896?—Yes.

22. Do you remember a conversation with him as to punishments?—No; I did not see him in private at all. He was with Dean Mahoney when I saw him. I do not remember anything being said about punishments between us.

23. Have you anything to help you to say if this is correct: Sir Edward Gibbes, who was officially authorised to make that visit, in his report on the school on that occasion, said: "The authorities say that absolutely no corporal punishment is given. They consider that the regulations issued last year respecting punishment in Government industrial schools applied to all schools, and therefore they abolished all corporal punishment. Nevertheless, they regret having done so, as the present consequences of running away are not a sufficient deterrent." Now, did Sir Edward Gibbes, in that report, go beyond the facts?—I could not suppose such a thing. At the same time I must say that I have not the least recollection. If corporal punishment were mentioned, it would mean flogging.

24. *Mr. Wardell.*] You are asked whether the statement goes beyond facts. What is your answer?—I do not suppose he would go beyond facts; but I have not the least recollection of the conversation.

25. *Mr. Hogben.*] Supposing Sir Edward Gibbes were prepared to give evidence that he recollects your making these statements, would you be prepared to say that he is wrong?—I could only say that I have not the least recollection.

26. Have you any recollection of the subject of a record of punishments being mentioned either between Mr. Thompson and yourself, or between Sir Edward Gibbes and yourself?—No; I have no recollection.

27. You do not recollect, for instance, being asked by Mr. Thompson why you did not keep a record or a register of punishments?—No.

28. *Mr. Bush.*] Have you a bad memory?—I have rather a bad memory. I cannot remember dates at all.

29. *Mr. Hogben.*] You remember my visit on 25th June, and showing me the accommodation for baths?—Yes.

30. Did you not tell me then that the boys could have hot baths regularly in the washtubs outside?—Yes; they had commenced having them. It is our present practice.

31. *Mr. Wardell.*] When you said they could have them, were you referring to the past or to the future?—To the present and the future. They had them already.

32. *Mr. Hogben.*] When did the practice begin?—A fortnight or three weeks before—after the visit of the Charitable Aid Board.

33. Do you think it desirable the boys should have hot baths in winter at least once a week?—I think it very desirable.

34. Can you form any idea of the number of baths required for 125 boys?—At least a dozen.

35. How many have you now, apart from the wash-house?—Only one.
36. Can you supply a dozen baths with hot water?—When the new range is erected we can make provision. We could not do it at present.
37. It has been stated that when the boy Skilton was confined in the cell the Education Department had forwarded a communication stating that the boy would be transferred to Burnham when arrangements had been made there for receiving such cases?—Yes.
38. Are you aware of any reason why it should have been expected that a boy like Skilton could be controlled better at Burnham than at Stoke?—I am not aware of any reason but that the Judge had recommended that the boy should be sent there.
39. Are you aware that Burnham at that time had no stronger staff than Stoke had, and that it had no greater powers in this respect in exercising discipline than you have?—No.
40. Can you tell me how often the Manager has visited Stoke during the last two years—roughly, of course. I suppose between twenty-five and thirty times—perhaps more.
41. *Mr. Wardell.*] Has he made the visits at stated intervals?—No; All in all he comes on an average once a fortnight.
42. *Mr. Bush.*] Do you keep a record of his visits?—No.
43. *Mr. Hogben.*] Have you ever shown him the cells?—I have not.
44. Did you consider it necessary to inform the Manager of the punishments that were administered?—No; I did not. Of course, I admit now I was in error.
45. You did not think it necessary to inform him of the existence of the cells?—It never occurred to me to do so.
46. *Mr. Wardell* (to *Mr. Hogben*).] On behalf of the Education Department, do you consider the existence of the cells improper?—No; not the mere existence of them.
47. *Mr. Hogben* (to *Brother Loetus*).] As far as the view you took went, you did not think it necessary to inform the Manager of the mode of punishment? Did you think the question of punishments outside the duties of the Manager?—I never thought about it.
48. *Mr. Bush.*] Suppose *Dean Mahoney* objected to your caning boys on the hand, and insisted on flogging on the body, would you have done so?—Yes; I would.
49. Was *Dean Mahoney* at the Orphanage at any times that the boys were in the cells?—Yes; several times. I could not say how many times.
50. And you did not tell him so?—No.
51. Did you never mention any of the confinements to him?—No; never.
52. When the boys in the cells went to Mass, did they go with the other boys or by themselves?—By themselves, in charge of one of the Brothers. They sat behind the other boys, on the last seat; but not apart from the other boys.
53. Was there anything to indicate to those holding service that these boys were in a different position from the other boys?—No.
54. Did you not think it necessary that the boys confined in the cells should have a special interview with the priests, for the purpose of a lecture, or anything?—On confession-day, once a month, they would go with the other boys.
55. You say the boys in the cells were visited four times a day by the Brothers?—Yes; at meals and at bed-time.
56. On our visit to the school the other day, did you not tell us that the lower cell was in exactly the same condition, except for a desk in the corner, as it was in when the boys were confined there?—I said so; but I did not think of the window at the time.
57. When we saw the window it was just like that [pointing to a window in the room]?—Yes; I did not refer to the window at all.
58. Did you tell us that the window had been broken, and that it was on account of a broken pane boarded up?—No.
59. You omitted to tell us that the window had been boarded up for the use of the room as a cell?—I forgot to mention it.
60. We came away with the impression that the window was simply glass?—It was altogether my forgetfulness in not mentioning it.
61. You made no reference at all to the boarding of the window?—No.
62. You said yesterday that a boy named *Willis* had escaped from this cell. Was that through the spaces between the boarding?—Yes. One space was larger than the other.
63. How big was that boy?—Very small. He has a very flat head.
64. Did any Brother express disapproval at any time of the system of confinement in cells, and say it was a pity the school could not be conducted without it?—Some may have shown a dislike to it and expressed a wish that it should not be.
65. Was *Brother Augustine* one of these?—No. He did not express any opinion to me.
66. You read some accounts yesterday. Would there be any difficulty in getting the books?—No; I can get them.
67. I understand that your Order is sworn to poverty, and consequently is always subject to a certain amount of deprivation. Do you not think that people who live under this rule for a certain number of years are likely to carry it throughout their lives amongst their surroundings, and expect others under their charge to put up with the same privations?—I do not think so. Every precaution is taken against extremes.
68. *Mr. Harley.*] You told us yesterday that 56 lb. of meat was put daily into the stew?—Sometimes, and sometimes not. I gave it as an average weight.
69. The boy *Lane* said that the bones and all were put into the stew. Did the 56 lb. include bones?—Yes; the bones were generally put in. Sometimes the weight was more than 56 lb.
70. Was that stew made principally from the fore part of the sheep, with the hind legs cut off first?—The two hind legs were generally cut off.

71. You mentioned vegetables of various sorts other than potatoes which went into the stew. Has that always been so?—Yes, that has always been.
72. On the day of the visit of the Board there was no sign of anything but potatoes in the stew?—I was away then.
73. You told us that you bought half a ton of honey. Was that since the Board was there?—No; it was bought in March. I have bought honey before, but not so much at a time.
74. You tell us that in winter the boys wear jerseys over their shirts. Was that a rule before the Board went up?—It was.
75. How many pairs of socks did the boys have at one time?—The Sunday stockings and one pair for week-days.
76. You have told us that your savings have been £523 for two years. Is there not something wrong about that?—It was roughly calculated. The Brother who was making out the list was sleepy when he did it. He was falling asleep over the book.
77. You told us there was £523 in the savings-bank?—Yes; there is no more than that.
78. If the food or clothing were short, you had money to buy more?—We keep this money for emergencies. If I had assumed that more food or clothing was required it could have been obtained.
79. Six hundred sheep, you say, were killed during the two years?—Yes; it was a hurried calculation.
80. The sum of £89 is set down as for meat bought. Was that for the boys?—Principally. The Brothers had very little.
81. Did you supply the convent at Nelson with any produce?—No.
82. Where are the boys' everyday clothes obtained?—Generally from the Sunday clothes after they get dingy.
83. Is any corduroy used?—Only a small quantity.
84. Have you received gifts of old clothes for the boys?—No.
85. How long has thrashing on the naked body been abandoned?—Between six and seven years.
86. Have any boys been put in chains during the last two years—that is, chained with a shackle round each leg?—No.
87. How long is it since that practice has been abandoned?—That took place about five years ago. It has been abandoned.
88. You told us that Brother Kilian was likely to go. Is Brother Wibertus likely to be removed also?—The question has not yet been considered.
- 88a. Do you think that he should go?—I cannot say. I shall consult the Manager.
89. *Mr. Fell.*] I understand you to say that when Dean Mahoney speaks as Manager you have not the liberty to disobey his instructions?—None whatever.
90. I believe that the convention between the brotherhood and the trustees of the estate contains a direct condition that your control shall be subject to the laws of this country, and that wherever your rules may conflict with the laws the rules have to give way?—Yes.
91. In reference to Mr. Thompson, it is stated that on one occasion he had a conversation with you regarding solitary confinement and that you denied that it was in force at your school. You do not remember that conversation. Suppose he had asked you, what would have been your answer?—I would have told him what was taking place.
92. Did you consider at that time that the punishment to which the boys were subjected was "solitary" confinement?—I never realised it until all this commotion came about.
93. Suppose you had been asked some months ago what was solitary confinement, what would you have understood it to mean?—Confinement in cells in which there was no light and which afforded no communication with the outer world.
94. As to the conversation which Sir Edward Gibbes is said to have had with you regarding corporal punishment, supposing he had spoken to you on the subject, what would you have understood him to have meant by the term?—Punishment on the bare skin.
95. At that time had that form of corporal punishment been abolished at your school?—Yes, it had.
96. In reference to the baths, you consider it desirable that the boys should have a warm bath in the week?—Yes.
97. With reference to the poverty to which the brotherhood is vowed, you are not sworn to poor living and poor clothes? It only debars you from acquiring wealth or disposing of it?—No, we are not only permitted, but enjoined to live as others.
98. The matter of boys in chains has been spoken of. That was done some years ago. What was the reason?—Two boys could not be kept at school, and they would defy me. It was a light chain—gyves, well padded. One of the boys contrived to slip the chain three times.
99. *Mr. Hogben.*] You have said that you thought solitary confinement meant confinement in a dark room?—Yes in a dark cell, like those they have in jails.
100. You have ceased to give punishment on the body. Did you receive instructions from the Department to this effect?—No; we received them from the Superior-General of the order.
101. Were they given to you through the Manager?—No.

ALEXANDER GROVES DUFF, examined on oath.

102. *Mr. Fell.*] You are a duly qualified medical practitioner, and were for many years medical attendant at the Stoke Orphanage?—Yes; from the opening of the institution till the end of 1896, some time after Brother Loetus took charge.

103. Were you aware that mustard-and-water, followed by castor-oil, was a common remedy for small ailments at the school?—Certainly; Brother Loetus consulted me about it. It is a good

remedy in certain cases. It is perfectly innocuous, and I believe it has been used with good effect at the school.

104. *Mr. Harley.*] Did you administer the mustard for similar complaints in your private practice?—I have never administered it, but I do not disapprove of it. It is a simple and handy remedy, and acts efficiently and speedily.

105. Do you know a boy named Lane at the institution?—No.

106. Do you remember attending a boy with a cut head?—I attended several with cut heads; but I do not remember any particular boy.

107. *Mr. Bush.*] Does every headache require the same treatment?—Certainly not.

108. Supposing a boy was sickening for typhoid fever, would mustard-and-water be a proper thing to give him?—No.

109. *Mr. Wardell.*] Do you know of any harm being done by this treatment?—No.

110. You do not recommend it as a universal specific?—Certainly not.

DONALD MACDONALD (known in religion as BROTHER AUGUSTINE), examined on oath.

111. *Mr. Fell.*] How many foreigners are among the Brothers at the Orphanage?—Two; Brother Loetus and Brother Wibertus. The latter is a Belgian.

112. You are a Marist Brother, and have had a long experience in teaching?—Yes; I have been a member of the Order for thirty-two years and a half, and have been teaching in London, Glasgow, twelve years in Sydney, six years in New Caledonia, ten years and a half in New Zealand. I have been at Stoke for the last six years and seven months.

113. What are your duties at the Orphanage?—During the forenoon I have charge of the cleanliness of the house, including bed-making, sweeping, and scrubbing. There are sets of boys told off for these various duties. I have nothing to do with the food. In the afternoon I teach the Fifth and Sixth Standards.

114. Which do the boys like best, outdoor work or lessons?—They much prefer outdoor work, as a rule. There are some exceptions. Maher and McElwaine are very intelligent boys.

115. You know what is meant by the hill-work?—Yes; I have never done it, but the boys are jolly glad of it always. I have never had any complaints as to the severity of the hill-work.

116. What form of correction have you been in the habit of administering?—I have used a supplejack on the palm of the hand. The number of strokes depends upon the nature of the offence. In school there is a kind of tariff between the boys and me as to the number of strokes. I have only to ask a boy "How many are you to get?" and he will tell me. At the beginning of the year they may get one smack for each fault over ten in dictation, &c. As the year advances, they get punishment for anything over two faults. Some intelligent boys pass months without a single slap, and some get it often. At the beginning of the year a boy may get from fourteen to twenty slaps; but later in the year, as the boys make fewer mistakes, the number decreases. The strokes are not very heavy; one or two may be pretty hard, and the rest light.

117. Has any boy been incapacitated for his work at any time by these slaps?—Never by me during the whole course of my teaching.

118. Can you say whether a similar rule is observed by the other Brothers?—I cannot say; but I believe that in some standards something of the kind is adopted.

119. Do you often get Irish stew?—Often, in the evening. It is not the same stew as the boys have, as we have it in the evening. I have often known Brothers to go into the kitchen and get some of the boys' stew.

120. Do the boys play cheerfully?—Yes; they always enter into their games with the greatest zest.

121. Have you ever known a boy to complain of insufficient food?—No. I have often complained to Brother Loetus of the waste food lying about.

122. Are you in charge of a dormitory at night?—Yes; I sleep there. There are twenty-seven boys there.

123. Is there good behaviour at night?—Yes; perfectly quiet behaviour.

124. Is the bedding good—proper?—Yes; fair.

125. Do you consider that the boys, as far as warmth and comfort are concerned; are insufficiently clothed?—There may be exceptional cases in which there is not enough; but I never heard any complaints myself. When a boy wants more clothing he goes to Brother Wibertus. Each teacher is supposed to see that his boys get sufficient socks.

126. How about washing the socks?—In many cases they have been worn till they wore out; but the boys could have had them washed if they wished. Sometimes they go about bare-footed in the evening.

127. Was the story given by Mr. Harley about the confinement in the cells correct?—It is substantially correct. The boys may have got bread and water once or twice at the commencement of the punishment, but after that they got the same as the other boys. I believe the upper cell was made of timber. The lower cell has been dismantled, and is now used as an office.

128. Did you ever express objection to solitary confinement of this sort?—I have never approved of it, or liked it; but I saw no other effective way of dealing with absconders. When the members of the Board came, I made the remark, "Brother Loetus and myself will be most happy to adopt some other form of punishment."

129. Did you say that you knew "they would get into a mess" about it?—I do not think I did. I am sure Brother Loetus never liked the system either.

130. *Mr. Harley.*] You say that in the early part of the year, in class, the boys get from fourteen to twenty strokes on the hand?—Yes; but the number always decreases as the pupils make progress in their studies.

131. Are the boys not afraid of Brother Wibertus?—To a certain extent they are.
132. Have boys come to you with blistered hands, seeking sympathy?—Not with blistered hands, but with marks on their hands.
133. You are referred to as "the kind Brother"?—Of course, you have to go from home to hear news very often.
134. *Mr. Bush.*] Would it not be a teacher's duty, if he saw a boy with deficient clothing, to send him to the Brother in charge of the clothes?—Yes; I have done so on several occasions.
135. *Mr. Hogben.*] Do you know of the regulations as to punishments in Government industrial schools?—I have never read or seen them. I have heard of them lately, but not before the visit of the Board. When I first heard of them I was in doubt whether they applied to the Stoke School.
136. How did you first learn of the existence of the regulations?—From a leading article in the Nelson *Evening Mail*, a few weeks ago. I had heard of them before the members of the Board came, but I had a very vague idea as to what they were.
137. Do you remember how you first came to hear of the regulations?—I cannot exactly say.
138. Can you remember whether they ever formed the subject of conversation between the Brothers in the school?—I cannot remember; I must have read of them in the papers or elsewhere.

GEORGE MAHONY, examined on oath.

139. *Mr. Fell.*] You are chaplain to the Stoke Orphanage, and live at the Presbytery in Nelson?—Yes.
140. You visit the Orphanage frequently?—Yes; very frequently—on an average, four times a week. In addition to these duties, I assist Dean Mahoney in parochial work. Sometimes, when I am in the country, at least once a month, Dean Mahoney officiates at the Orphanage. I have held the office of chaplain for about nineteen months. I celebrate Mass at the Orphanage on Sundays and three times a week—in summer at 6.30 a.m., and in winter at 7 a.m. I generally sleep there the night before. All the boys attend Mass.
141. Have you anything to do, in addition to your spiritual duties, in connection with the administration of the affairs of the school?—None whatever; but I assist Dean Mahoney in the clerical work.
142. Have you any knowledge of the system of punishments adopted at the Orphanage?—They came to my knowledge only quite recently.
143. Had you any knowledge of the existence of cells?—No; but I remember that one morning when I was there a boy was being brought into the chapel in charge of a Brother, and there was quite a stampede. On inquiring as to what had happened, I was told that the boy had bolted. I have since understood that he was being brought in from the cell; but I was not aware of it then.
144. Where were you accommodated for the night when you were up there?—In the new wing, on the ground floor. I have a bedroom and a sittingroom there.
145. I suppose you sometimes talk to the boys?—Yes; I have mixed with them in their amusements, and have picked hops and harvested with them.
146. What are the relations between the Brothers and the inmates?—I have noticed one or two boys giving impudence to the Brothers; but, on the whole, the relations are very friendly.
147. Do the boys go to work in a cheerful way?—Yes, very cheerfully. I have had frequent opportunities of seeing them, and I have also seen them starting for the hill-work; and I can corroborate what has been said by other witnesses as to the pleasure they take in this work. I remember on one occasion, when a question of weather came up, they were very eager to go, rain or no rain.
148. Were their week-day clothes sufficient?—So far as I can say, they were. These boys are brought up to a hardy kind of life, and do not seem to feel the cold. I have heard no complaints about either food or clothing.
149. *Mr. Harley.*] Did you speak to the boys in a body, a few weeks ago, about the inquiry then coming?—Yes, I did on one or two occasions. I had occasion to direct them, as there were evidences of a bad mutinous spirit amongst them.
150. Did you tell the boys not to say anything about the Orphanage, and that if they did they would be sent to Burnham?—No; but on one evening I said that one boy was evidently the cause of the mutinous spirit, as it had not been noticed before he returned to the school. I also said that, whereas the hands of the Brothers had been somewhat tied before in such cases, they now had another alternative—that of sending incorrigible boys to Burnham.
151. Did you on that occasion speak disparagingly of Mr. Rout, Chairman of the Nelson Charitable Aid Board?—I may have referred to him.
152. Did you refer to him as a bad man, and a sly man?—I cannot say; I do not remember exactly what I said.
153. *Mr. Fell.*] You say there was a mutinous spirit among the boys?—Yes; it was evidently caused by the return of a lad from town. He spoke to the other boys about the inquiry, and said that the Brothers could be set at defiance.
154. What were the evidences of the mutinous spirit?—It was shown by the behaviour of the boys in the school, in the yard, and in coming to meals. They threw stones at the Brothers, would not keep silence, and when Brother Kilian left the room for a moment they began to cheer. I told the boys that, although the inquiry was to be held, there were steps which could be taken to quell the mutinous spirit.
155. Has the matter quietened down now?—Yes.

HECTOR CERF (known in religion as BROTHER LOETUS) recalled, and re-examined on former oath.

156. *Mr. Wardell.*] Is there any system of classification in the school outside the educational classification—that is, as to character?—The only classification is that the small boys are by themselves in a playground of their own.

157. Do you know whether any particular boy comes as an indigent boy, or as one who has committed some criminal offence?—No, I do not know always.

158. Have you any means of separating the boys who are licensed out, and who may return, from the other boys?—No, not at present.

159. You have not any system for separating boys just coming in from those who were previously in?—No.

WILLIAM JOSEPH MAHONEY, examined on oath.

160. *Mr. Fell.*]—You are Parish Priest of Nelson and the surrounding districts?—Yes; I have held that office since the death of the late Father Garin in 1889. I was assistant to Father Garin for many years, and I have resided here altogether twenty-five years.

161. Will you state shortly the leading facts of the history of St. Mary's Orphanage?—When I arrived in Nelson in 1875, the Orphanage was in its infancy. Its history till that time from its inception in 1872 was related to me by Father Garin. The first boy was admitted to the Orphanage on the 7th September, 1872, Mr. Oswald Curtis being then Superintendent of the province. The children grew in numbers, and to provide sufficient accommodation, Father Garin bought a property in Manuka Street, opposite the Catholic Church, for £800. This was on the 2nd September, 1875. I was then in Nelson. In January, 1877, an addition was made to the building at a cost of £300. Later on, when the Orphanage was constituted by Parliament as an industrial school for the whole of New Zealand, another wing was added at a cost of £450; making a total of £1,150 spent on the property. As the school was the only industrial school for Catholic boys in the colony, boys came from all parts, and the roll was soon a large one. Sir Robert Stout, when Minister of Education, suggested that the boys should be removed into the country, so that they might have an opportunity of learning farm-work, &c. We had then already been negotiating with Mr. R. Reeves, of Stoke, for the purchase of a property at Stoke, and the result was that 375 acres of land, a great deal of which was then in a rough state, was purchased for £2,800. We erected a building at a cost of £3,610, the architect being Mr. Somerville. The building was completed in 1896 by the addition of the west wing. The old Orphanage was also removed from town, and the cost of this removal and the new wing was £1,500. Later on the adjoining section of land, known as "Trolove's," was purchased for £2,400. The whole expenditure on land and buildings, including out-buildings, was brought up to £10,310. Part of the money was obtained by an appeal made by Archbishop Redwood to the Diocese of Christchurch, and to the Archdiocese of Wellington. This produced over £1,000. I also had a bazaar and art union, and in this, and other ways, I collected over £1,000. I also had several bequests. One was left to the school, and the others to myself personally. I devoted all this money to the institution.

162. You yourself are vowed, as are the Marist Brotherhood, to personal poverty?—I am a Marist Father, but have no connection with the Marist Brothers. We receive no salary; and we, Father George and myself, do not keep two purses. Of the Church money received part is devoted to household expenses, and the rest goes to Church purposes and charitable works. If I received a bequest, I could not devote it to myself or send it to my friends at home.

163. How much money is now owing on mortgage on the Stoke property?—About £5,000; for which Archbishop Redwood, myself, and the trustees are liable.

164. The institution is now under the care of the Marist Brothers?—Yes. When the Orphanage was in its infancy, and was purely an orphanage, Father Garin had a widow in charge. As the boys became more numerous, a man and a woman, with female assistants, were placed in charge. The Manager's name was Mr. Murphy. About a year afterwards the Orphanage was removed to Stoke. Mr. Murphy remained as Manager there for four or five years. This system of management was not found very satisfactory, and the Marist Brothers were applied to, it having been the wish of the late Father Garin that the institution should be under their control. The school has been in the charge of the Brothers since 1890. I remained Manager, as recognised by the law. My appointment as Manager was gazetted in 1884. Up till the present I have done the clerical work, being assisted in this lately by Father George Mahony.

165. As Manager, did you expect, and have you received, obedience from the Brothers?—Yes; I have not had the least difficulty in this matter. The convention with the Marist Brothers provides that they shall manage the school subject to the laws of the land, and that they shall always provide sufficient numbers of suitable Brothers for the work.

166. As to the boys who belong to St. Mary's Industrial School, they are not all sent to Stoke?—No. As soon as the Brothers came to Stoke I got the Sisters in Nelson to take charge of the little boys. Formerly the boys were sent to Stoke at the age of seven or eight, but lately the age has been raised to nine or ten; and if a boy seems delicate he is kept on by the Sisters beyond that age. In a few cases, in which the boys are strong-willed or precocious, they are sent to Stoke at an earlier age than that mentioned. The average number of small boys at the town school is from twenty-five to thirty.

167. *Mr. Wardell.*] When a boy is committed, do you direct where he is to go?—I get the warrant, and attend to all particulars.

168. *Mr. Fell.*] Do you classify the boys in any way, distinguishing those who are committed for criminal offences from those who are sent as the children of indigent parents?—No. It has been a subject of controversy as to whether such a classification should exist. I gave

evidence myself on the subject before a parliamentary Committee, and it was decided by Parliament that there should not be any distinction, and I have acted on those instructions.

169. Will you describe the system of payments?—Before the Charitable Aid Bill passed, all boys committed were paid for direct by the Government at the rate of 1s. per day per head. Since the Charitable Aid Bill passed all children committed through indigence have been maintained by the Boards of the districts to which they belonged. The number maintained now by both the Government and the Charitable Aid Boards is 102. The Government pay 1s. per day per head up to fifteen years of age in cases in which the boys were committed before the 1st January, 1893. If committed since then the Government pay up to fourteen years of age. If there is a case in which I can conscientiously recommend a boy for service, and he is not deficient physically, morally, or mentally, I secure employment for him.

170. In no case are boys paid for after the age of fifteen?—The Nelson Board is at present paying for one boy above that age; but he is an idiot. All Boards do not pay the same. Reefton, Wanganui, Dunedin, and Auckland pay 6s. 6d. a week; Picton, Westport, and Christchurch pay 6s; Nelson for five boys pays 7s. a week, and for two boys 5s.

171. You say you have boys from various parts of the colony?—Yes; we have four from Christchurch, two each from Westport, Picton, and Reefton, nine from Dunedin, and one from Auckland.

172. When a boy reaches the age of fourteen or fifteen, as the case might be, and does not go out to service, what is done?—They are still inmates; but until they go out to service no payment is received for their maintenance, except in such special cases as have been mentioned. At present there are eighteen boys in the school maintained for nothing at all. Boys often leave their employment and go back to the school. One boy who ran away from his employer is now at the school. As a rule they run back to the school when they leave their employment.

173. *Mr. Wardell.*] Have you had many cases of this kind?—Yes; many.

174. *Mr. Fell.*] How long do you keep them for nothing?—It depends upon cases. A boy who has returned from employment may be kept for nothing till he gets another place.

175. How many inmates are there altogether in the school?—About a hundred and twenty-five. There are a few who are sent privately. I would like to say that had I not heard the matter put so clearly before the Commissioners by Mr. Hogben I would have had an official from the Post-Office Savings-Bank here to show my position in regard to the wages' accounts of the service inmates. As my position has been so clearly defined by Mr. Hogben, I have not much to say in that respect. I keep the wages' accounts, and put the money in the savings-bank in my official capacity as Manager, and I cannot draw any of it out till I get an order from the Minister of Education. Some boys think that they have a grievance because they cannot draw their earnings. I have now £830 in the bank belonging to inmates. The license form, signed, has to be approved by the Minister. This is returned to me, and I am bound to see that the money is paid by the employer to me as Manager. Mr. Pope in his evidence the other day said I was not exactly an official. I am not a paid officer, and I have received much assistance from Mr. Hogben and Mr. Pope in the matter. Sometimes when an employer signs a form promising to pay a boy so much a week and his clothing, I find, when the reckoning-day comes, that the employer had not understood the agreement, and that he has deducted the value of the clothing from the amount agreed upon. Sometimes I have been told to summons the employers, but I have never yet done so. Sometimes the amount expected by the department is not altogether there. The boys sometimes go from one employer to another who does not understand the regulation, and thus the boys may receive their own wages. I have recommended, and Mr. Hogben agrees with me, that the boys should be allowed a little money from their wages as pocket-money, and that they should be allowed to buy their own clothes. The Department, in some cases in which I have applied for the money the boys have earned when licensed out, has found out that it is not desirable that the boys should have the money, and then the application is refused. All this brings me into difficulty with the boys, who do not understand that it is not my fault.

176. When you receive the money for maintenance, what do you do with it?—I pay it over to the Brothers.

177. Do you exercise any supervision or control of the funds afterwards?—No. The Brothers also have all the proceeds of the farm.

178. Have you any control over the expenditure of the money in hand?—No; I look for the payment of the interest, and they have the rest.

179. Coming now to the complaints made by the Charitable Aid Board: You heard me suggest that you would accept the assistance of lawfully appointed male and female Inspectors. Is that so?—I would be very glad of it.

180. Have you asked people to go out to the Orphanage when they liked?—Yes, frequently.

181. *Mr. Wardell.*] Would you recognise the right of such visitors as those mentioned by Mr. Fell to officially report to the Department the result of their inspection?—Yes. If any complaints were made, I would see them attended to.

182. *Mr. Fell.*] Were you aware of the nature of the punishments adopted at the school?—No; I left that to the Brothers.

183. Did you know of the cells?—I knew of them as rooms. I formerly occupied the room which has been divided into the group of three cells, and which was originally intended for the use of the Manager and his family. I was quite ignorant of the system of confinement in the two small cells referred to.

184. Do you approve of that system as described?—I would not approve of it.

185. Would you have any objection to conform with the Government regulations respecting punishments?—No. In my opinion, a boy should be punished immediately on the commission of an offence, and once for all, and be done with it.

186. Regarding the charge as to the food of the boys [charge read]: What opportunities have you had during the last two years of judging as to the sufficiency of the food?—I have paid forty or fifty official visits each year to the school. I have seen the boys at meals, and I have never heard a complaint from either the resident or service inmates that would lead me to suppose there was any deficiency as to food. I have always talked to the boys in a friendly way for years back, and I think they would have complained to me if they had reason. Former inmates of the school, on revisiting Nelson, always come to see me, and they generally go up to the school and spend the day there, and sometimes the night. I have also met them in Wellington and other places. When I went to Chicago with Archbishop Redwood, I was not three hours in San Francisco before two Stoke boys came to see me. With regard to punishments, a little over two years ago a boy at the school complained to me that he had been severely caned on the hand by Brother Wibertus. I called Brother Loetus and told him that this must not continue. I believe that shortly after this Brother Wibertus was removed from the office of prefect to the tailoring. When the visitors were at the school after the visit of the Charitable Aid Board, the boy James, after he had been examined, came to me and said, "Now will you get Brother Loetus to let me go out on a farm instead of going to school?" This is about all I can remember.

187. As to the charge of insufficient clothing: what is your idea about that?—I knew that the boys had a best suit, a picnic suit, and so on. Visitors had often remarked how well the boys were clothed. The working-clothes of some may have looked untidy and dirty; but some boys are untidy naturally.

188. You think the clothing is sufficiently warm and comfortable?—I never examined the clothes; but the boys have always had a remarkable freedom from sickness. Their health has been extraordinary. No complaints were ever made to me as to a deficiency of clothing.

189. The boys have not complained to you about the hill-work?—No; I never heard about it till I came here. I have been up the hill myself with visitors.

190. With regard to the cemetery: several people are buried there, I believe?—Two Brothers and four or five boys who have died have been buried there. No boys have died during the last six years. I conduct most of the funerals myself, and the boys and Brothers all attend. The late Mr. Patrick Byrne, of Richmond, from whom I received a bequest of £1,000 for the Orphanage, was buried there at his own request. We have no Catholic cemetery at Richmond or Stoke, the nearest being nine or ten miles away, at Appleby, in one direction, and nearly nine miles away, at Nelson, in the other.

[Here a letter from the Education Department, referring to the removal of the boy Skilton to Burnham, was put in. The letter, dated March last, stated that the boy Skilton would be transferred to Burnham when arrangements were completed there for receiving such cases. It was expected that this would be about two months from the date of the letter.]

191. As to the seventh charge [charge read]: Would you have any objection to the school being brought into line with Government industrial schools as to the rights of inspection?—No; I would be rather pleased.

192. *Mr. Wardell.*] Do you mean you would like the school to be open to inspection by every Justice of the Peace?—Yes; I did not know it was not so until Mr. Hogben informed me.

193. *Mr. Fell.*] Would you be willing that section 49 of the Industrial Schools Act [section read] should apply to your school?—Yes.

194. *Mr. Harley.*] Do you think that the food of the boys as described has been sufficiently varied?—No; oh, no. I think it ought to be varied more.

195. As to clothing: I suppose you did not approve of the one pair of socks for each boy?—No.

196. Do not you think the boys should have under-shirts and under-pants in winter?—Yes; I think they should have them. Of course, some boys do not care about underclothing. I have had boys myself who did not care about it. Of course, it would be healthier and warmer for the boys.

197. *Mr. Hogben.*] You referred to what you understood to be certain directions that there should be no classification of children. You refer to that as the consequence of the parliamentary Committee which sat about 1893. Was not the evidence given to that Committee somewhat varied in character? You received a circular to attend?—I cannot remember whether I received the circular. But I happened to be in Wellington at the time.

198. I suppose you would not remember whether the recommendation was in the evidence or in the decision?—I think it was in the decision. Colonel Hume and the late Rev. Mr. Habens, then Secretary for Education, were exactly of my mind. A member of the Upper House had introduced the measure for separating the criminal children from the indigent, and the Committee was the result of this proposal. In my experience in Nelson I have made it a rule, when boys were sent here without knowing the reason why they were sent, not to tell them. When a boy arrived, I would ask him if he knew why he had been sent here. If he did know, I would say, "Do not speak about it." If not, I would not tell him. The result has been that in a short time there has been no difference in the school between the two classes. One reason for this view has been the fact that if it were known that a boy was sent for, an employer of a service inmate might afterwards come to me and say, "You did not tell me that the boy came from the criminal class." I would, however, recommend that lads sent back from service owing to bad habits should be kept apart from other boys.

199. Are you aware that during the last five or six years there has been throughout the world a great change of opinion in regard to this matter?—No.

200. Have you read Douglas Morrison's book on "Juvenile Delinquency"?—No.

201. From your knowledge of cases that have come before you lately, do you not think it is desirable there should be some classification?—I should say that some boys—those over fourteen

or fifteen years of age, for instance, who show no evidence of reform, and who have a natural tendency to vice—should not be mixed with the better class of boys.

202. You said that in the case of a boy returned from service the school received no aid from the Government or the Charitable Aid Boards. Would you not consider that such a boy ought to earn his own living by working on the school farm?—From my experience before the Brothers were here, I have found that one man will often do as much work in one day as thirty boys. Supervision takes up more time than the work is worth. I do not think that, after paying for clothes and maintenance, there will be much profit.

203. You can imagine a state of discipline under which they would work and earn their keep?—Well, in such cases they would probably not be satisfied, and would want their wages. Occasionally we have had satisfactory service from such boys.

204. Do you remember Mr. Thompson, the Government Inspector, coming to see you on 17th October last, and discussing with you some of the forms used by the department?—Yes.

205. Do you remember part of the conversation referring to a certain book?—I do not remember the conversation about it; but I remember receiving a copy of the book of departmental forms from you afterwards.

206. Do you remember a part of the conversation about punishments?—No. If Mr. Thompson did mention the subject I think he would more probably speak to the Brothers about it.

207. If he had asked you whether solitary confinement was practised in the school, what would you have answered?—I would have said, "No."

208. Do you remember telling Mr. Thompson that the only punishment was strokes on the hand?—I do not remember that. I did not know at the time what sort of punishments were in force.

209. Do you remember telling me, on the 25th June last, that the only punishment was strokes on the hand?—No, I do not remember. I may have made some inquiries from the Brothers when I was at the school with the visitors on 6th June, and I may have told you something about the matter. I did not know before the visit of the Board whether the boys received only strokes on the hand or not.

210. Do you remember telling me on 25th June that you did not keep any register of punishments?—Yes, I remember that.

211. Do you remember me asking you why not?—No.

212. Do you remember telling me that you considered it was a sort of degradation to a boy's self-respect to have his name down for a certain punishment?—I may have done so. I do not remember it. I do not think it would be a degradation.

213. Then, in that case you are not likely to remember whether you said it to Mr. Thompson in October last?—No, I do not remember.

214. Do not you think that as Manager it should have been your duty to know what punishments were given in the school?—I did not investigate the matter; but it should have been my duty to do so. I recognise now that it is my duty to do so.

215. Have you examined the clothing of the boys?—No, not in any specific way.

216. You did not think that that either was one of your duties as Manager?—No, I did not.

Mr. Fell: I do not propose to call any further evidence.

FRIDAY, 3RD AUGUST, 1900.

SYDNEY ALFRED GIBBS, examined on oath.

1. *Mr. Bush*.] You are a duly qualified medical practitioner, residing in Nelson?—I am.

2. Will you kindly state the result of your recent examinations at the Stoke Industrial School?—Dr. Talbot and I visited the Stoke Orphanage on 28th July and 1st August. There are 126 boys on the roll, and we examined 116, the absence of the other 10 being satisfactorily accounted for. We found the boys generally well nourished and in good health; but they appeared under-sized. A careful examination of their heights and weights showed that their heights were below the average of boys of the same age in England and Wales.

3. *Mr. Bush*.] How did they compare with other boys of the district?—We had no data for such a comparison. The boys presented no marks of injury, but most of them were dirty. With regard to their clothing, it was adequate for purposes of warmth. The underclothing, consisting of a shirt, was made of coarse, hard, unsuitable material. Many of the stockings and socks were full of holes—that is, the part covering the foot. The boots were substantial and fairly new. With regard to the night-clothing, the boys, we understand, sleep in their day-shirts. They have no night-shirts. We examined the boys naked, unclathing the whole of the 116. We went into the dormitories, and pulled most of the beds to pieces. In the new dormitory about half the beds are occupied. The bedding was in a very unsatisfactory condition. Two beds were made up wet; the wetting was probably due to the absence of conveniences. Evidences of vermin were very plentiful in this dormitory. The big dormitory was satisfactory. Most of the mattresses here were new. In the "wet" dormitory no mechanical precautions were taken to prevent the soiling of the mattresses. The children's dormitory was not satisfactory; but not so bad as the new dormitory. Generally, there is a want of care and cleanliness, both as regards the boys' day-clothing and night-clothing.

4. *Mr. Harley*.] You mentioned that the first dormitory is infested with vermin. What sort of vermin?—Fleas for certain. I cannot say about other vermin. I did not see it. The fleas were very numerous.

5. How many occupants of this "wet" dormitory were there?—About ten, I think. I cannot give the exact number.

6. And there were two "wet" occupants in the new dormitory?—Yes. That was probably accidental.

7. Ten in 126. Is not that a large proportion?—No, I do not think so. I could not be absolutely certain of the ten. This is nothing unusual.

8. Besides the coarse shirts, did the boys have any under-shirts?—No; a few had flannel shirts. The majority had not.

9. Do you think it sufficient clothing when clad in only a coarse shirt?

10. Do you not think they want something more?—I do not think so; but I think they want more suitable material next to the skin, for the purposes of health.

11. As regards size, you say the boys were under-sized as compared with boys in England and Wales. Can you suggest any reason?—We have not sufficient grounds to go upon to make our opinion of much value.

12. Are there conveniences of any description in these dormitories?—In the new dormitory there are none. In the big dormitory there is one in the corner. We understand that the boys in the new dormitory go to this. In the "wet" dormitory there is none. This is just off the big one. In the children's dormitory there was none when we were there. There is a urinal in the big dormitory. There is no w.c.; but we heard that two pails were brought in at nights.

13. Do you consider baths necessary for health in winter?—Yes; most decidedly.

14. Did you see any bathing appliances?—Yes. They have one bath in the room off the big dormitory, and arranged round the wall are basins for washing hands and faces.

15. Are there any proper conveniences for bathing a large number of boys?—We did not inquire into this, as it did not come within the scope of what we were asked to report upon. With regard to the one bath, we were informed that the hot-water system was not working at present. One bath would be hardly sufficient.

16. Was the general appearance of things clean or otherwise?—Clean. We got there on Saturday morning, when they were washing out. They were doing it very thoroughly.

17. What is your opinion of confinement of boys in cells for eight days, night and day, with visits four times a day, and caning occasionally, even supposing that the food was given as usual? Do you think such treatment would be likely to be harmful or not?—Harmful, undoubtedly.

18. Would such solitary confinement be likely to affect boys from ten to fifteen?—Yes, both mentally and bodily. It would, of course, not improve the nutrition; and, mentally, it would tend to make them dull and apathetic.

19. We have had a great deal of evidence about boys taking mustard for headaches of all descriptions. Have you had any experience in dosing boys with mustard in that fashion?—Only in cases of severe poisoning.

20. Do you think it is a reasonable or proper remedy in cases of bilious headaches and headaches generally?—No, I do not.

21. *Mr. Bush.*] You would not give it in such cases?—No, I would not. It has a very irritating effect: just the same as if applied to the skin.

22. *Mr. Harley.*] The greater the quantity the more the irritation, I suppose?—I cannot agree with that: a large quantity might come up straight away. A moderate dose might be more harmful than a large dose.

23. It is a violent emetic?—Yes.

24. I gather it is one you would not give as a general practice?—No, decidedly not.

25. *Mr. Fell.*] You heard that a doctor recommended the use of this emetic, followed by a moderate dose of castor oil. I suppose there is nothing absolutely injurious in that?—Of course, it depends on what you call injurious. If in every case you were not certain about you gave a dose of mustard, your mortality would tend to increase.

26. Supposing you heard that it had been practised for many years back in the school, and that in six years there were no deaths at all?—That is no argument. So far there may not have been any deaths; yet next week you might have two or three deaths.

27. Would it be imprudent?—I should call it injurious, unnecessary, and cruel.

28. Even if recommended by another doctor?—That is another matter. I am just answering you on a point of general practice.

29. I suppose one cause of boys being under-sized is heredity, low parentage, a low form of health or constitution, or neglect in early days. This is a frequent and common cause, is it not, of a general arrest and retardation of development?—Yes, of course. But that may be corrected to a very large extent, if not entirely, in the course of years. In conclusion, I would like to state that we were received at the Orphanage with every kindness and courtesy. At the same time, I think there should be some medical officer to attend to the minor ailments of the boys. One boy had a big abscess, and another was suffering from a scalded foot when we were up there.

30. *Mr. Bush.*] Had the boy with the scalded foot not had medical attendance?—No; neither of them. It was not a very bad scald. Perhaps one visit would have been sufficient. As it was, the scalded foot was bound up with a dirty piece of rag with some sort of oil on it.

Dr. Talbot was called, and said: I concur with what *Dr. Gibbs* has stated regarding the condition of the boys and their clothing and of the dormitories at the Stoke Industrial School. My evidence would be exactly the same as his on those matters; and I strongly disapprove of the treatment by mustard-and-water and of the solitary confinement.

DONALD MACDONALD (known in religion as BROTHER AUGUSTINE), re-called and re-examined on former oath.

31. *Mr. Fell.*] Have you made up the accounts for the school since yesterday? I understand there were some errors in the list read by Brother Loetus?—I went through the books with Brother Damien last night, and we checked various items.

32. Were the moneys set down as paid during the last two years all paid for goods consumed during that time?—Yes. The amount owing at the commencement of that period for goods would be very small. The receipts during the last two years amounted to £5,284 5s. 8d., and the expenditure to £4,749 9s. 7d., leaving a balance of £534 16s 1d. Of the balance there is a current account of £11 16s. 11d. in the Union Bank of Australasia, and there is £523 on deposit in the Post-Office Savings-Bank.

33. *Mr. Harley.*] It appears that the savings during the past two years have been over £1,000 instead of £523, as we were told yesterday?—Yes; a payment of £500 off the debt on the property was accidentally omitted in making up the statement.

34. Were any moneys outside of that required for the keep and clothing of the Brothers sent out of the colony to your Order, or to any other person?—Not beyond the £15 a year for clothes.

35. None was sent to France?—No; except for goods received.

SATURDAY, 4TH AUGUST, 1900.

ROLAND HENRY POPE, recalled and re-examined on former oath.

1. *Mr. Fell.*] You have examined the books of the Stoke Orphanage. Will you state the result of that examination?—I spent between four and five hours at the books with Brother Augustine last evening, and examined the accounts for the last two years. With regard to the question of overlapping, there appears to have been nothing of the kind. The amounts shown as expended during the last two years fairly represent the cost of goods consumed during that period. The accounts are paid monthly, and the outstanding debts amount to very little. I cannot say how much stock there was in hand at the commencement of the two years. There is nothing to show anything as to that. The books show that receipts from Government, Charitable Aid Boards, and private sources are treated as one account. But as far as I could see from the books (of course I had no vouchers), assuming their good faith, I think that all the money received from the State, including the Charitable Aid Boards, has been expended on the school, and that what the Brothers have expended has been earned out of the estate and received from other sources. That is to say, the Brothers have not used any State money for their Order.

2. I am told the only sums received by the Order are the amounts of £15 each for the Brothers' clothes per annum?—Yes, and certain small sums sent to France for clothing received. The latter comprised very small orders—£30, for instance, in one case.

3. *Mr. Harley.*] Apparently £500 has been paid off the debt, and £500 saved during the two years. Can you say whether it appears from the books that the money was saved from the Government branch or out of the working of the farm?—In two years it would be quite possible to save the money out of the farm.

4. Can you say whether this was done or not?—The time at my disposal was so short that I had to content myself with looking at the general items to see if they were reasonable expenses.

5. It was quite possible to save the money out of the Government grant?—That is neither here nor there. If the farm could have saved it it does not matter, so far as I can see, as the money all went into one common fund. I am satisfied from the books that there has been expended on the school an equivalent to what has been received from the Government and from the Charitable Aid Boards.

WELLINGTON.

TUESDAY, 7TH AUGUST, 1900.

JOHN DENIS DULLEA, Provincial Superior of the Order of Marist Brothers, examined.

1. *Mr. Wardell.*] What is your name?—John Denis Dullea. I am known as "Brother John." I am Provincial Superior of the order, and generally resident at Sydney.

2. From the evidence we have taken there appeared to be a clashing of authority in the management of the school. We wish to know if the school at Stoke recognises an authority outside of themselves in the person of the Manager approved under the statute? This is a question vital to us in our inquiry?—Decidedly. We recognise the Manager. We accept these schools on the condition of carrying them on in keeping with the Government regulations.

3. Are we to understand that the overriding authority, so far as the management of the school is concerned, is that of the Manager?—Yes; Father Mahoney.

4. You recognise that?—We do.

5. That is, as to the internal management of the school itself?—Quite so.

6. Is it customary in your schools to keep a record of all punishments?—No, it is not.

7. *Mr. Bush.*] Would it not be the duty of the Brothers in charge to communicate the punishment and other matters arising in reference to the school to the Manager?—Our Brothers are counselled to consult with the Manager in the case of any severe punishment. These are the instructions to our Brothers.

8. Do you consider confinement in cells severe punishment?—I would.

9. Some of these Brothers are fifty or sixty years of age, I believe, at Stoke?—Yes; I think there is one who is between fifty and sixty—Brother Loetus, the Superior.

10. Are there not one or two older than Brother Loetus?—There is no one older than Brother Loetus there. I have known Brother Loetus a very long time.

11. *Mr. Wardell.*] What is his nationality?—He is a Frenchman. He is the only Frenchman we have in New Zealand. We have nine schools in New Zealand, with forty-five Brothers engaged in them, and he is the only Frenchman.

12. *Mr. Bush.*] Then, I understand from you that when the Brother in charge did not report the punishment to the Manager he did not carry out his instructions?—Not only that, but he should have actually consulted—I mean this serious punishment referred to.

13. Are there any particular instructions as to dietary and clothing?—Not in regard to this school. It is exceptional the taking-up of schools like this. We usually have the ordinary day-schools. We sometimes have colleges, but this is the only school of this kind we have in the colonies—I mean the Australasian Colonies.

14. *Mr. Hogben.*] With regard to the position of the school generally, Brother John: is the school in any way under the head house? I understand the head house is in Paris?—Yes, in France.

15. Is this school in any way under the control of the head house?—I cannot say the school is, but members of the Order are.

16. But as regards the management of the school in Stoke?—I have no knowledge that the authorities interfere with the management.

17. Would it, in your opinion, have power to interfere with the management of the school at Stoke?—I cannot suppose it could.

18. Supposing a question were to arise in which the management were expected to conduct it contrary to the rules of your Order, would you have to send that question away for decision?—It is especially laid down that we have to carry on our work in conformity with the laws of our country. The laws in regard to institutions of this kind are a different character. If we cannot carry them on in regard to the laws of the country, then we have to withdraw.

19. If the Government requirements were contrary to the regulations of your Order with respect to the control of schools, you would have to consider your position?—It is a supposition barred by that first condition, that we are bound to conform with the laws of the country.

20. With regard to yourself, can you suppose any case in which the instructions of the Manager might be contrary to the general regulations that you have laid down—for instance, with regard to punishment?—No two managers will absolutely coincide with regard to punishment, and I, therefore, and others might not coincide.

21. But, suppose there was a difference of opinion with regard to the conduct of this school, would you expect the Manager to give way?—I would explain my views to the Manager, and would endeavour to show him the mode followed generally—the mode we follow—and if an absolute deadlock came about it is hard to say what would be the result. I have been twenty-five years in the position I hold and no deadlock has come. It is hard to anticipate a deadlock occurring in the case of Stoke.

22. I am not questioning the discretion of yourself or of the Manager, but I think it is quite possible to understand such a case. For instance, the Manager might think it was desirable that boys, instead of being confined, should be flogged on the body. In your regulations, I understand, you expect them to be merely punished by strokes on the hand. What would be the result of a Manager insisting on that mode of punishment being adopted—punishment on the body?—I should think it my duty to remonstrate with the Manager, to induce him by all possible means to accept the lighter form of punishment. I know that in other cases we dispense with corporal punishment of a severe kind. Punishment on the hands is much lighter in its effect, and is subject to easy detection in the event of abuse.

23. Supposing the Manager says that it is impossible in such a school as this industrial school to maintain discipline without flogging on the body, and insisted on the point, would you recognise his right to enforce the point?—Do the Government regulations admit of that form of corporal punishment?

24. Yes?—Well, that covers the question at once.

25. Do you think in that case —?—That is the justification of it. Our general principle is to conduct the schools in conformity with the laws of the country.

26. In that case, even although your opinion differed, you would feel bound to give way?—Yes, seeing that the laws of the land put it that way.

27. *Mr. Wardell.*] I observe that you used the term “corporal punishment” as distinct from punishment on the hand?—I did not mean to imply it in that sense. By corporal punishment we mean any part of the body, and in that way I include the hands.

28. In this case it is a Government regulation; but, supposing the Manager, while keeping within the Government regulations, on his authority as Manager instructed those on the staff of the school to administer some kind of punishment that you did not approve of, would you recognise his authority to insist on that mode of punishment?—If within the limits prescribed here I would.

29. I am speaking of him acting in his own capacity as Manager?—I should say so, so long as he is within the law.

30. With regard to the status of the schools, I understand that the Order of Marist Brothers took over the control of the school about the year 1890?—About that time.

31. Were you then in the position that you occupy now?—I am twenty-five years in the present position.

32. The school was taken over from the trustees of the Orphanage?—Yes; the Archbishop applied to us; in fact, I may say twenty-five years ago, when I first came to the colony, application was made to us to conduct that school. It was then in its initiatory condition at Nelson, and repeatedly we were applied to to take it, and finally the Archbishop secured our services in 1890.

33. I presume the Archbishop was representing the trustees?—Yes.

34. Do you think that in any way altered the position of Dean Mahoney in the school?—I knew that Dean Mahoney was the Manager, but know nothing of the details of that management.

35. You do not know whether the Government were informed of that change?—No. The trustees applied for our aid in the matter, and we gave it.
36. *Mr. Wardell.*] You do not know that he ceased to be Manager, but you knew he was Manager?—Yes, quite so.
37. *Mr. Hogben.*] Brother Loetus called himself director in the school?—That is the term we recognise for the headmaster's position in any school.
38. Was the Manager, Dean Mahoney, consulted when he was appointed director of the school?—I believe he was.
39. Who appointed Brother Loetus director?—I believe I had the appointment of it. Others may have referred to his coming, but I think the appointment depended upon me.
40. Did you consult Dean Mahoney?—I believe he was consulted. I rather think that Brother Loetus's predecessor had been withdrawn, and Brother Loetus was here at the time on a health visit, and there was some mention made about his appointment then. He was simply in New Zealand at that time on a health visit from Australia, and I think he was even at Stoke at the time.
41. And you believe the Manager was really consulted?—I believe he was referred to.
42. But the appointment was made by yourself?—By myself.
43. Has the Manager the power to dismiss the Director? Brother Loetus is director or head master of the school: supposing that in the opinion of the Manager he was no longer fitted for that position, would the Manager—Dean Mahoney—have the power to remove him from the position of director of the school?—Yes, we recognise that. Of course, we would consider it a very serious matter that would require action of that kind—an extreme measure.
44. But he has the power to do that without referring to you?—It would be becoming of him to refer to me, and give his reason why there should be an appointment of a successor.
45. It would be a matter of courtesy that everybody would follow to refer to you; but he would have the power to remove him?—Yes.
46. Will you refer to section 11 of the Industrial Schools Act [produced]? That concerns the appointment of the Manager.—Yes, quite so.
47. It has been suggested that one possibility might be that the Director and Manager might become the same person in the future, and possibly the control of the institute might be simplified. If the Director became the Manager, would you act on a request from the Government to remove the Manager?—I would.
48. *Mr. Wardell.*] That is to say, if a member of your Order became Manager you would, at the request of the Government, remove him?—Yes.
49. *Mr. Hogben.*] With regard to the rest of the staff: Who appoints the other members of the staff to their respective positions in the school, besides that of director?—That is generally done by the director himself, often in consultation with the Provincial.
50. The director has power to appoint them?—Yes.
51. Is it a direction to him to consult the Manager in making those appointments?—No, it is not; it is implied. He (the headmaster) has a knowledge of these men, and that naturally leads him to employ them in one class of the school or another, or in the discharge of other functions.
52. But it is not a direction to him to consult the Manager?—It is not.
53. Do you know, as a matter of fact, that the Manager has been consulted?—I cannot say.
54. Would the Manager have power to appoint a man if he thought he was more fitted for the position than another man?—I do not think it would be advisable for the Manager to do it without the assent of the headmaster who has control of the staff.
55. But would he have the power to do it?—I do not know that a case of that kind has ever occurred.
56. Do you think that he would have the power if it did occur? For instance, if the Manager thought one Brother more fitted to control one part—the technical part, say—of the school, would you consider he would have the power to name that person?—I think that, distinctly apart from the management of the school, if he interfered and ruled the headmaster it would naturally bring him into consultation with me.
57. In that case, am I to understand that the Manager has not the power to dismiss members of the staff?—I mentioned before there is distinction in the meaning of that word "dismiss." A Brother may be removed from place to place.
58. I used the word "dismiss" in this sense: A Brother occupies a certain position in the school; he is removed from that position—or, in an extreme case, from any position in the school: would not the Manager have power to remove a Brother from any given position in the school?—For grave reasons I recognise that authority.
59. And when you say "grave reasons," would you include unfitness for the post as one of the reasons?—Evidently.
60. Would you include, in that case, a case in which the Manager thought one Brother was much more fitted for a particular position than another Brother?—I think he should consult with the headmaster in regard to that, and that would be the only means of securing unity of action in the schools.
61. But would the Manager have power to request a rearrangement of the staff?—Yes, decidedly he would have.
62. Who has the power of suspension, if the necessity arises, of a member of the staff—the Director?—The Director or the Manager.
63. Has the Manager—Dean Mahoney—or any other person who might occupy the position, control over the clothing of the inmates?—He has, whether he exercises it or not.
64. Has that information been conveyed to him?—I think it is implied in his position as Manager.

65. Is it an instruction to the director to consult him in the matter of clothing?—No directions have been given on the subject.

66. But you would regard it as part of his duty to consult the Manager?—If I thought the Manager desired that, I would recommend it.

67. But hitherto you have not held that it is part of his duty?—I have not gone into the matter.

68. Does the same remark apply to food?—It does.

69. I understand you to say that the Brothers were instructed, in cases of severe punishment, not only to report but to consult?—Quite so.

70. Then, in cases of severe punishment, you hold that the Brothers are required not only to report but to consult with the Manager?—That is what I stated. The difference is easily explained by the fact that industrial schools are altogether exceptional in our case, whereas the carrying-on of a day-school is our ordinary work. The question of punishment comes in in all schools, but there is no question of food or clothing in day-schools.

71. Do you not think punishment in industrial schools would have to be considered in a somewhat different light from the question of punishment in your day-schools?—I quite understand that different regulations regarding punishment may be needed in industrial schools.

72. Has that been a matter of consideration in the past between you and the staff?—No.

73. Were you aware of the punishments that are alleged to have been inflicted at the Stoke Industrial School?—Not previously to this inquiry.

74. The director did not report to you?—He did not.

75. Do you consider that he should have reported to you?—Such cases, yes.

76. You were not aware of the use of cells to the extent to which it has been alleged they were used?—No.

77. Or the use of chains?—I never heard of it. I may mention that, although appointed to the position I hold twenty-five years ago, there was an interval of four years during which I occupied a similar position in the British Isles. I saw it stated during this inquiry that padded chains had been used once, but it was the first time I had heard of their being used, and this was during my stay in Europe.

78. You are aware that a mode of punishing the boys—a form of corporal punishment used—was by strokes on the hand?—I know that strokes on the hand have been in use.

79. That is in accordance with the general practice of the brotherhood?—In some countries, not in all. In the British Isles it is the custom. I may say, with reference to punishment on the hand, that the strap has been the instrument I have seen most in use in Europe. The cane, I know, has grown into use in the colonies, as far as I know, and perhaps in England to some extent, though I never used it.

80. You would not consider that supplejack in general was a suitable instrument?—No, I would not; and I was not aware of its use.

81. Would you regard it as somewhat irregular with strokes on the hand where accompanied or followed by strokes on the body?—I dislike the strokes on the body. I know extreme cases may call for them.

82. Even with a suitable instrument?—I dislike them still.

83. What punishment would you suggest at an institution like Stoke if confinement itself were done away with, except for very short periods? What would you suggest to come into line with such feelings as you have expressed?—The deprivation of privileges, such as are granted to other boys, in the way of outing and picnics and the like. I think boys feel such things very sorely. Occasional outings, and recreations of course, occur every day, and may be curtailed.

84. Would you think that sufficient in the case of industrial schools of what we might describe as the reformatory type and in the case of a persistent thief?—I do not know what additional punishments could be given suitably by teachers, at all events. It might come under the care of Magistrates or Police Courts to treat these extreme cases.

85. Then, in the extreme case you would feel that the assistance of the police was necessary?—I do not know that that would be necessary, but I can conceive of extreme cases in which it might.

86. The cases I am thinking of occur nearly every day in an industrial school?—I would not think that necessary in every-day occurrences.

87. I am referring to cases like absconding?—Privation of recreations and corporal punishment, such as I have described, with punishment over the back that has been referred to, cannot be objected to in extreme cases under the direction of the Manager. I do not know what further you can do.

88. Can you suggest punishment which, in your opinion, would be sufficient, and which you could approve, for hardened offenders and absconders?—I do not know any punishment that would be a success in certain cases. Some boys will be found incorrigible.

89. Have you had any experience of any other industrial school than that at Stoke?—I have not.

90. *Mr. Wardell.*] Do your functions extend over Australia, or only over New Zealand?—Over the Australasian Colonies.

91. How many schools have you?—Thirty-five.

92. And you have only one industrial school?—Yes.

93. *Mr. Hogben.*] Are you aware of the diet given to the boys at Stoke?—In a general way. I may say that my visits generally last two or three days, once or twice a year.

94. Are your visits surprise visits, or do the staff expect you?—They may expect me, but my visits serve all the purpose of surprise visits, as they extend over two or three days, when I see the children doing all their ordinary work.

95. I suppose when you go there you see the bill of fare that is in use?—I have seen it.
96. Do you consider what is put down in that bill of fare a suitable diet for boys in an industrial school?—I think it is sufficient and good.
97. Have you at any time directed that the punishment should be changed at the school?—I have always discouraged punishment on the body, and recommended when corporal punishment of any kind had to take place that it should be inflicted on the hand. I was never aware that the Manager had given different orders or directions.
98. When you said corporal punishment on the hand, did you specify the instrument?—No; I understood the instrument to be a cane or strap. I have never seen any other used.
99. I would call your attention to sections 46 and 47 of the Industrial Schools Act. Section 46, you will see, refers to Government schools, and section 47 refers to all industrial schools. The difference is that in section 47 the regulations Government may make apply only to the inspection of industrial schools and to dealing with inmates that are not resident. The others apply to a number of things enumerated. Would you be willing, as far as your Order is concerned, that the Stoke Industrial School should be subject to regulations that might be drawn up under some such statutory power as that contained in section 46?—I see nothing in it that we could object to.
100. You see no objection to the school being brought under Government regulations for its conduct, management, supervision, inspection, and the employment of the education, diet, clothing, and correction and industrial training of the inmates?—I see no objection. In fact, I was under the impression that there was no double system.
101. Then, if you accepted those, as far as your control of the school extends, of course you would be willing to accept, I presume, all the authority that the Manager receives in order to work those regulations?—Yes.
102. If the Director did not carry the regulations out, would the Manager have power to remove him?—I have stated that already.
103. Do you think it would be a good thing to keep a record of all punishments in the school?—Of all exceptional punishments.
104. What do you mean by exceptional punishment?—Punishments occur every day, such as for slothfulness and so on. I think it would be a great task to keep a record of those punishments.
105. Would it surprise you to know that in a large number of public schools in the colony of New Zealand that is done?—I did not know.
106. *Mr. Wardell.*] Would you consider above three strokes on the hand a punishment that should be recorded?—I think everything of that kind might be. We have not done it. I think it is quite admissible. I do not see anything unwise about it. I am rather in favour of it, and especially when I hear that it is customary in the colony.
107. *Mr. Hogben.*] All corporal punishment and all punishment touched upon by these regulations is recorded, and the record is sent every month to the Education Department. Would you see any objection to that being done in the case of Stoke?—I do not. I mentioned simply my appreciation of the thing. But, as I said before, we accept the schools subject to the Government regulations.
108. *Mr. Bush.*] We understand that you would have no objection to the whole of the regulations being conformed to with the exception of the religious instruction, and there would be no regulation to that effect?—Yes.
109. *Mr. Hogben.*] Do you know whether the Brothers did consult with the Manager as regards the punishments that were alleged to have been inflicted—the exceptional punishment in cells?—I am not aware whether they have done so or not.
110. Were you aware of these regulations before to-day?—I do not remember having read them. I may possibly have read them some years ago, but I have no remembrance of them.
111. *Mr. Bush.*] One point brought before us was in reference to there being no female in connection with the institution. Is it impossible to have one or more females in connection with the institution?—It was found unworkable in the past, or not satisfactory, and it is not customary.
112. But is there a barrier to it?—We have never done so.
113. Is it an impossibility—is there anything to prevent it?—Our regulations.
114. *Mr. Wardell.*] Is it possible from your point of view, that one or two married women, whose husbands might be employed about the premises, should be placed in charge of the clothing, the infirmary, and possibly of the bedding of the institution, and the ordinary cleanliness?—We would not carry on the institution on those conditions.
115. *Mr. Bush.*] Is it contrary to the regulations of your Order?—It is. I think the case is fully met by the younger children being detained at the other institution.
116. Then, the employment of women is not permitted by the rules of your Order?—No.

NELSON.

FRIDAY, 10TH AUGUST, 1900.

GEORGE STANBRIDGE, examined on oath.

1. *Mr. Harley.*] You were in the Stoke Orphanage formerly, and have now been discharged?—Yes; I have now been out two years and eight months.
2. How long were you in the Orphanage?—About three years.

3. *Mr. Wardell.*] What is your age?—I was eighteen on the 14th June.
4. *Mr. Harley.*] Where are you living now?—At Moorhouse's, milkman, Bronte Street, Nelson.
5. How many cells were there at the Orphanage downstairs?—Two underneath the stairs. There was one right underneath the stairs and one at the side of it. [Positions indicated on plan.]
6. *Mr. Wardell.*] Does this mean that there was one cell facing the garden and one inside that?—Yes. One facing the garden, and the other right under the stairs.
7. *Mr. Bush.*] Was there any window?—Not in the one right under the stairs.
8. *Mr. Harley.*] Have you been in the cells?—Yes; in that facing the garden.
9. Is there any light in the cell under the stairs?—There is a space of about 4 in. at the top of the door, through which light from the window of the cell facing the garden is admitted.
10. *Mr. Wardell.*] You were never shut up in the inner cell?—I was never confined there.
11. *Mr. Harley.*] Have you ever seen boys in that cell?—I have seen Richard Sheehan there.
12. Could a boy stand upright in it?—He could at one end, but not at the other.
13. You understand that you are not to refer to matters beyond five years ago. Did you see Sheehan there within the last five years?—Yes.
14. *Mr. Bush.*] Perhaps you could give the date, or say how long it was before you left?—I could not exactly say.
15. You are sure it was within five years?—Yes.
16. *Mr. Harley.*] You say you were in the other cell. What had you been doing to be put in there?—They said I was going to run away, but I had no intention of doing so.
17. How long were you kept there?—A week.
18. Were you let out at all during that week, day or night?—No.
19. *Mr. Bush.*] Not even to Mass?—No.
20. *Mr. Wardell.*] Which Brother was in charge of you?—Brother Finian.
21. *Mr. Harley.*] Was there anything to sit on?—There was no chair; there was a mattress there all day?
22. Were you punished in any other way during that week?—Yes; I was flogged with a supplejack with my clothes off.
23. *Mr. Wardell.*] On what part of your body?—On my behind.
24. By whom?—Brother Wibertus.
25. *Mr. Harley.*] How much of your clothes was off?—I had my trousers off.
26. Is that the only time you were thrashed in that fashion?—Yes.
27. *Mr. Wardell.*] I should like to get the date fixed approximately. You have left the school two years and a half. How long was it before that?—It must have been six or eight months after I went there.
28. It is about six years since you went there?—It may have been a year after I went. [At this stage Mr. Pope, on referring to the books of the Department, stated that Stanbridge was admitted to the School in April, 1894.]
29. *Mr. Harley.*] Did you know a boy named John Lane at the school?—Yes.
30. Did you ever see Brother Wibertus do anything to him?—I saw him kick Lane up against a door and cut his head open.
31. *Mr. Fell:* This incident was stated by another witness, Lane's brother, to have occurred six years ago. The occurrence has already been admitted.
32. *Mr. Harley.*] How long ago was this?—About a year—perhaps more; not much more—before I left.
33. What took place?—I think they got a doctor and said Lane fell on a stone.
34. How was the food while you were there—good or bad?—Bad.
35. You have read in the newspapers descriptions given in evidence of the food at the School during the past two years. Was it the same when you were there?—Yes.
36. Did you do any hill-work during the latter part of the time you were there?—Yes.
37. Was it easy or hard?—Hard.
38. How many times a day have you been up?—Four times.
39. *Mr. Wardell.*] From the School to the top?—Yes.
40. *Mr. Harley.*] What happened to those who did not do all their trip?—They were punished with the supplejack, and made to go without their tea.
41. Did you know a boy named Ryan there?—Yes.
42. What condition of mind was he in?—Mad; he is a lunatic. He is there now.
43. How was Ryan treated there?—Badly. They punished him all sorts of ways. At dinner-time I have seen him made to kneel on the floor, and go without his dinner, for being late for dinner.
44. Anything else?—That is all I can remember.
45. Were there fires in the class-rooms in your time?—No.
46. Used you to bathe in the winter in your time?—No.
47. Were your socks and stockings washed?—Very seldom.
48. What were your shirts made of?—A sort of canvas; the same as they are now.
49. Did you ever see any little boys washed in the creek during the last five years?—Yes, for dirtying themselves. I have seen them taken there in winter.
50. Were they punished otherwise?—Yes; I have seen them hammered on the naked skin with a supplejack by Brother Wibertus.
51. *Mr. Bush.*] With regard to the boy who was kicked against the wall and had his head cut open: was there any blood?—Yes; I saw it.
52. *Mr. Wardell.*] Who dressed the wound?—Dr. Duff.
53. *Mr. Bush.*] Did you know of any other boy being put in the cell under the stairs?—Speed was in there.

THOMAS WALSH, examined on oath.

54. *Mr. Harley.*] How old are you?—Eighteen last November.
55. How long were you at the Orphanage?—I went there in September, 1891, and left in March, 1898.
56. Where are you working now?—At Mr. Mellett's, cab-owner.
57. You are discharged from the institution now?—So I believe.
58. Have you been back to the Orphanage since you left?—I used to go back frequently on Sundays after I left, and stayed all day. I used to go to church there.
59. How did they punish the boys at the school?—By flogging on the naked skin and by punishment on the hands.
60. When it was flogging on the naked skin, where were the boys struck?—Across the behind and on the back. They were not particular where they hit so long as it was on the body.
61. Who did the flogging, and where did the thrashing take place?—Brother Wibertus did it in the lavatory.
62. In what position were the boys placed?—They were bent over a bench with their hands touching the bench, and their trousers down. They were supposed to hold their shirts up at the same time.
63. Did you ever get any of this?—No; I was never flogged myself.
64. Have you seen any marks on other boys?—Yes; I have seen boys who could not sit down for a fortnight. They had to hold their trousers out at the back to keep other boys from rushing into them, and to keep the trousers from sticking to the blood-blisters, which broke and made sores.
65. Have you seen the marks on the boys yourself?—Yes.
66. Did many boys get treated like this?—I have seen a good many treated like that.
67. Did you see the boy Lane kicked by Brother Wilbertus?—Yes; one morning as we were going into breakfast. Lane did not have his boots laced or something. He was kicked against two dining-room doors, and his head was cut open.
68. *Mr. Wardell.*] On what part of the body was he kicked?—On the behind; he was kicked forward on to the doors.
69. *Mr. Harley.*] Have you done any hill-work?—Yes; I was up there the greater part of my time. When they were putting up the boundary-fence I was always up there.
70. Was it hard or easy?—Hard.
71. How many times a day did you go up?—Sometimes four; sometimes five. As soon as we got one load down we had to go up again.
72. Who kept you at it?—Sometimes Brother Wibertus, and sometimes Brother Cuthbert. I was not up four times a day with Brother Cuthbert, but I was with Brother Wibertus. When I was with Brother Cuthbert I had to carry posts out of the bush.
73. What happened to those who could not do the work?—Big or little, the boys had to go. Some of the little boys could hardly manage it. Sometimes, if they did not carry a certain number, they had to go without their tea.
74. You have heard the food described lately. Was it the same in your time?—Yes; sometimes worse than now. Sometimes we had boiled rice with syrup in it, and it used to make us sick; none of the boys liked it. On one occasion Brother Wibertus forced us to eat it.
75. I suppose you have eaten rice since?—I have not eaten much since, but what I have had was better than I had at the school.
76. *Mr. Wardell.*] On how many occasions were you forced to eat it?—At only one meal. We had to go up the hill after it, and most of the boys vomited.
77. *Mr. Harley.*] Did you get plenty to eat?—Sometimes I did; sometimes not. Sometimes when I held up my hand for more I would not get it.
78. Did you ever see them cooking the Irish stew?—Yes.
79. Was the meat always good?—No. On a few occasions I have seen it crawling. I have not seen it put into the stew; but I have seen it chopped up ready to be put in.
80. *Mr. Wardell.*] What do you call "crawling"? Maggoty?—Yes; there was a good dose on it.
81. *Mr. Harley.*] Was it often like this?—Pretty often; I could not say that it was like that every day.
82. Did you get any mustard and water?—Yes; three or four times. On one occasion, when Brother Finian gave it to me, it made blood come from my nose and mouth.
83. When the blood came what did he do?—He got hot water and bathed me. He then propped me up with pillows for a while till I was all right.
84. How many cells do you know of under the stairs?—Two.
85. Have you ever been in them?—No; but I have seen boys in both of them.
86. There is one facing the front of the building. Where is the other?—Right underneath the staircase. It starts with a height of about 4 ft. 6 in. and runs down to nothing at the foot of the staircase.
87. Could a boy stand up in it?—Yes; he could at one end for about one yard or so; but not further.
88. *Mr. Fell.*] Is it not a fact that the boys used to be "jolly glad" to go up the hill? Were not the boys glad when the order came the night before to go up the hill?—I cannot say they were.
89. Did they not get ready for this as for a picnic?—Well, some had to be working up there all day, and others had to go up and down. The stronger boys were taken to bring the posts out of the bush.

90. Which boys liked the work—the boys who had to bring the posts out of the bush, or the others?—It all depended. The boys who carried the posts out of the bush sometimes had short stages; sometimes long ones. Sometimes it was only 20 yards; sometimes it was 50 yards or 60 yards at a time. It was longer for hop-poles.

91. *Mr. Wardell.*] Did any of the boys regard going up the hill as a picnic?—Perhaps a few did. The majority did not.

92. *Mr. Fell.*] How far did you have to carry the posts up the hill altogether?—The furthest place down was about half a mile.

93. Which boys liked this work?—I cannot name them. A few of them preferred it to school.

94. Some of the boys last week said that all were very glad to go up. Was this all false?—Yes.

95. When you say you went up and down four times, do you mean all the way?—Sometimes we carried posts to the boundary—about 100 yards above the recreation-ground. We would then go up again, and fetch another load to the same place. We then had dinner, and went back again twice in the afternoon.

96. *Mr. Wardell.*] That was two journeys from the foot of the hill, and two journeys from the boundary-fence?—Yes.

97. *Mr. Fell.*] What Standard did you get into?—The Fifth.

97A. What was your work generally?—When I was not at the hill-work I was scrubbing, grubbing gorse, picking up stones, &c. I learnt to milk just before I left.

98. How many days a week did you do this hill-work?—Sometimes once; sometimes twice a week.

99. How many masters have you been with since you left the school?—My present master is the fourth.

100. Have you ever complained to any of your masters of your treatment at the Orphanage?—I cannot say I have.

101. Have you ever complained to other boys of ill-treatment?—I cannot remember whether I have or not.

102. Did you ever complain to Father (Dean) Mahoney?—No; I was frightened to.

103. Why were you frightened?—Because I thought I would get thrashed after he had gone.

104. Have you told him since you have left school?—No.

105. *Mr. Wardell.*] Have you ever known boys who were thrashed for complaining to Father Mahoney?—I cannot recollect any.

106. *Mr. Fell.*] Did you ever complain to anybody?—No; I was frightened to complain to visitors or any one else.

107. *Mr. Wardell.*] When did you first complain of your ill-treatment at the school?—After the surprise visit of the Charitable Aid Board, I made a complaint to Mr. Rout.

108. Did you go to him for that purpose?—Yes.

109. Did any one suggest that you should go?—No.

110. *Mr. Bush.*] Were the boys at the school frightened of the Brothers, or otherwise?—They were frightened. The Brothers had only to clip their fingers and the boys would obey them.

HUGH GALLAGHER, examined on oath.

111. *Mr. Harley.*] You were formerly at the Stoke Orphanage, and are now discharged?—Yes; I left in March, 1898.

112. How old are you?—About eighteen.

113. Where are you working now? At the Masonic Hotel?—Yes.

114. *Mr. Wardell.*] When did you go to the Orphanage?—I do not know.

Mr. Pope: He was admitted in February, 1892; went to service in May, 1898.

115. *Mr. Harley.*] How many cells did you know of downstairs when you were at the school?—Two.

116. Did you see any boys thrashed during the twelve months before you left?—No; not that I remember.

117. Within three years before you left?—Yes; Dwyer. He told me he was thrashed with the cat-o'-nine-tails—a strap cut into several strips.

118. Was he dressed?—I could not say.

119. *Mr. Bush.*] You did not see him thrashed? He told you of it?—Yes; he showed me his back. There were marks on it.

120. *Mr. Harley.*] Was the skin cut?—A little.

121. Who did it?—Brother Wibertus.

122. Were you ever kicked there?—Yes; by Brother Wibertus.

123. Did you get sufficient food?—Not always.

124. Did you ask for more?—No; not always. When I did, I did not always get it.

125. Have you done any of the hill-work?—Yes; much of it.

126. How many times a day have you been up?—Four times, bringing down posts for fencing.

127. What was the feeling between the boys and the Brothers?—I cannot say. Some were afraid and some were not. I was afraid.

128. Suppose you wanted more clothes or food, would you ask for it?—Sometimes I would hold up my hand for more food. Sometimes I would get it, and sometimes not. When my clothes wore out, I would ask for others. Sometimes I would get them; sometimes not.

129. Did you find any difficulty in asking?—Not very much.

130. *Mr. Fell.*] Did you ever see the cat-o'-nine-tails?—No; I only know what Dwyer told me.
131. *Mr. Bush.*] Was Brother Loetus aware that Brother Wibertus flogged the boys as you described?—Yes; he knew.
132. Was he present?—I cannot say.
133. Did the other Brothers know?—Yes.
134. Were they present?—Sometimes they were.
135. When were the floggings administered?—Sometimes in the day, sometimes at night.
136. *Mr. Wardell.*] Where were the boys flogged?—In the lavatory.

ALEXANDER ANDERSON, examined on oath.

137. *Mr. Harley.*] You were formerly in the Stoke Orphanage. How long is it since you left?—I was there between ten and thirteen years. I left between four and five years ago. I am now working for Mr Branford, milkman, on the Maitai.

138. *Mr. Wardell.*] The records show that you left the school in April, 1895?—I do not think I have been out five years. I have worked at the school twice since I was first licensed out. I worked there for close on a year the first time, as licensed out to Brother Loetus. This was before I left the school at all.

Mr. Pope: The first license expired in April, 1896; another license expired in 1897.

139. *Mr. Harley.*] When you were at the school as a licensed inmate, were you kept with the other boys, and did you have your food with them?—Yes.

140. During the period you were licensed, what was the food like?—It was poor. It was not fit to do the work on that I was doing at that time.

141. Did you do any hill-work?—Not during this time; but I saw others doing it.

142. How many times did they go up?—Four times a day.

143. Was Miller there when you were licensed?—Yes.

144. Did you go about the building after you were licensed?—I had to remain with the boys the first time.

145. Was Ryan there while you were there?—Yes; he is a silly boy.

146. How was he treated?—Very badly. I have seen him hit with a shovel by a workman named Michael Healy. I also used to see Healy push him and knock him about, and do as he liked with him.

147. Where did this take place?—I have seen it done near the stables.

148. How was Ryan treated by the Brothers?—Badly. If he was not there in time he would have to go without his meals. Any little thing the poor fellow did not know he would be punished for.

149. *Mr. Wardell.*] How many times do you remember his being punished for being late for meals?—Two or three times.

150. *Mr. Bush.*] Did you see any of the Brothers ill-treating Ryan?—Only by making him go without his meals.

JAMES O'CONNELL, examined on oath.

151. *Mr. Harley.*] You were formerly at the Stoke Orphanage. How long is it since you left?—Three years and four months.

152. Where are you working now?—At Mr. Trask's, at Stoke.

153. *Mr. Bush.*] Are you discharged from the institution?—Yes.

154. *Mr. Harley.*] Were you thrashed within the last eighteen months before you left the school?—Yes; by Brother Wibertus, with a supplejack.

155. With your clothes on or off?—Off. My pants were down and my shirt up. I was thrashed across the behind while bending over a bench.

156. How many strokes did you get?—I got ten.

157. Were these thrashings frequent in the same fashion?—Yes.

158. Who did it generally?—Brother Wibertus.

159. Was it known by the other Brothers, and the boys at the school generally?—Yes.

160. *Mr. Bush.*] How do you know it was known by the other Brothers?—The Brothers could not help knowing it.

161. *Mr. Wardell.*] You assume they knew it?—Yes.

162. *Mr. Harley.*] Did the boys scream under the punishment?—Yes; but if they screamed they would get more.

163. Have you seen marks on any of the boys after these thrashings?—Yes, on Richard Sheehan.

164. *Mr. Bush.*] Did you have any marks on yourself?—Yes. When I went to bed the sores would stick to the sheet, and be very painful. It broke the skin.

165. *Mr. Harley.*] How long did the sores take to heal?—About a week.

166. Was anything ever put on to heal them?—No.

167. Did you do any hill-work during the last eighteen months you were there?—Yes.

168. What sort of work was it to you?—Very hard.

169. How many times a day did you go up?—Four times.

170. What was the food like?—It was very bad.

171. Did you get plenty of it?—No; we were pretty well always short.

172. Did you get up from the table hungry?—Yes.

173. Why did you not ask for more?—I did sometimes; sometimes I got it.

174. What were your feelings towards the Brothers? Were you fond of them?—I was not very fond of them; I was afraid of them.

175. If you wanted anything, did you find any difficulty in asking for it?—I was frightened to ask.

176. Were your clothes sufficient?—No; they were not warm enough.

177. *Mr. Fell.*] Were the clothes very much the same all through your time?—Yes; I only once remember having a jersey.

178. How many times did you get whacked as described, and what had you done?—Once. I had stolen meat.

179. Did you ever get punished for asking the Brothers for food or clothing?—I never got punished for asking for food; but I did not get it sometimes.

180. Which Brother were you afraid to speak to?—Brother Wibertus.

181. *Mr. Bush.*] Was he the only one?—Yes.

182. *Mr. Fell.*] He was the one who gave all the punishment?—Yes.

183. *Mr. Harley.*] He looked after the clothing, and he was prefect?—Yes.

184. *Mr. Bush.*] Did you always have sheets on the bed?—Yes.

185. How often were they changed?—I am not sure.

186. How many pairs of socks did you have at a time?—Two—one on, and the other dirty.

JOSEPH GREER, examined on oath.

187. *Mr. Harley.*] You were formerly in the Stoke Orphanage. How long is it since you left?—To the best of my knowledge, I left about four and a half years ago.

188. During the last six months you were there were you thrashed?—Yes; I got it with another boy named Carroll, for chopping wood without sawing it. I have got some of the marks on my body to this day.

189. Were the marks from this one thrashing?—I cannot say. I have had three floggings.

190. How many strokes did you get?—Between twenty and thirty. I was that sore, I could not sit down for two or three months. The coarse shirt made it worse.

191. Was your skin cut?—Yes; there are rises on my skin now. The lavatory was the main place for the floggings. When you got in there, Brother Wibertus would tell you to peel off; and that meant every stitch.

192. *Mr. Fell.*] Did you ever complain to Brother Loetus about these floggings?—No; I know the pity I would have got would have been a poor plaster for it. Brother Loetus knew all this was going on. I would not have got any satisfaction from him.

193. Did you ever complain to Father Mahoney?—No.

194. Did you ever complain to any one else at the time?—Not to my knowledge.

195. When did you first tell any one of these beatings?—Since I left the Orphanage I have often spoken of it when the subject cropped up. At the time of Mr. Lightband's inquiry, about two years ago, I published a letter in the *Evening Mail* in reply to Brother Loetus.

196. What standard did you get into at the school?—That was one of my complaints. I was in the highest standard; but when the Government Inspector came I was put back to the Fourth. I was also excluded from examination for the Fifth a fortnight before it came off. I was working in the Sixth Standard.

WILLIAM ROSS, examined on oath.

198. *Mr. Harley.*] You were a boarder at the Orphanage?—Yes. They did not treat me as a boarder.

199. How long is it since you left the school?—A little over four years.

200. Were you put in with the other boys?—Yes.

201. Did you know anything about the hill-work there?—Yes, I had to do it with the other boys.

202. How many times have you been up there?—Six times a day—seven times at the most. Five times was the regular thing.

203. *Mr. Bush.*] Do you mean seven times up and seven times down?—Yes. Three in the morning and four in the afternoon.

204. *Mr. Harley.*] Was it tiring or otherwise?—It was very tiring and hard work.

205. You knew Brother Wibertus?—Yes; he used to chase us up the hill with a supplejack.

206. *Mr. Bush.*] Was he as stout then as now?—No.

207. *Mr. Harley.*] You were at the Orphanage on a visit lately?—Yes, last Monday. The boys were having the same stew then as when I was there.

208. *Mr. Bush.*] Were you doing hill-work in Brother Cuthbert's time?—No, it was in Brother Wibertus's time.

FRANK McCORMACK, examined on oath.

209. *Mr. Bush.*] Will you tell us how old you are; when you went to the Orphanage, and when you left?—I will be twenty on the 19th of next October. I cannot say when I went to the Orphanage, but I left about four and a half years ago.

210. Tell us what complaint you have to make?—I was treated more like a pig than a human being when I was there.

211. During your last six months were you treated in this way?—Yes.

212. *Mr. Wardell.*] Of what do you complain?—Of the tucker and the clothing. The stew and the bread-and-dripping were not fit for pigs. When I ran away I got a note from Father Mahoney saying I should be let off; but when I got back to the school I was made to kneel four hours, and then flogged.

213. How were you flogged?—On the bare skin with my pants down. I could not sit down for about three months afterwards.

214. *Mr. Bush.*] How many strokes did you get?—Twenty-four strokes with the supplejack.

215. Anything else?—I asked for some tucker, and did not get it; and was flogged because I stole it.

216. Was it before or after the flogging you got for running away?—Afterwards.

217. *Mr. Wardell.*] Were you able to sit down when you got the second flogging?—No.

218. *Mr. Bush.*] Who flogged you?—Brother Wibertus.

219. Anything else?—I was made to go up the hill six times a day pulling posts down. I had one or two posts taken from me. They were given to pets, and I had to go back for more. When I was sick they gave me mustard-and-water.

220. *Mr. Wardell.*] Were you often sick?—Yes; the tucker made me sick.

221. Do you mean you were unwell, or that you vomited?—I vomited. When I went to complain of being sick I was given mustard-and-water two or three times.

222. *Mr. Bush.*] Anything else?—I was hammered on my hands for having no buttons on my trousers, and no means of putting them on.

223. *Mr. Fell.*] Can you tell how many days during the last six months you were there you went up the hill?—Once a week; sometimes twice.

224. Did not the boys look upon the hill-work as a holiday?—I did not think it was a holiday. I put it down as slavery.

225. Did you ever complain to Father Mahoney, after taking his letter up asking for you to be let off, that you had been punished?—No; it would have been no use if I had. I would have got it just the same.

226. Did you complain to Brother Loetus?—No; I did not.

227. Who was your first master after you left the Orphanage?—Mr. Mundy, of Stoke.

228. Did you complain to him?—No.

229. Who was your next master?—Mr. Duff.

230. Did you complain to him?—No.

231. You knew he was doctor to the Orphanage?—Yes.

232. You never complained to any one?—No.

233. When did you first complain?—Only since this inquiry started.

234. *Mr. Bush.*] What sort of food did you get before you were sent to the Orphanage?—I got the best of tucker.

235. *Mr. Wardell.*] Where were you committed from?—From my home in Collingwood Street.

THOMAS LANE, examined on oath.

236. *Mr. Bush.*] You say you want to explain about your brother, first of all?—My brother got a kick on the head from Brother Wibertus. He got his head cut.

237. *Mr. Wardell.*] Did he get his head cut by being knocked against the wall?—Yes.

238. *Mr. Bush.*] You saw that?—Yes; they took him down to Dr. Duff, and said his head was cut by falling over.

239. *Mr. Wardell.*] Where is your brother now?—In the Orphanage.

240. *Mr. Bush.*] Did his head bleed?—Yes.

241. Whereabouts on the head was it?—Near the temple [indicating with hand].

242. How did your brother look when he came back?—The wound was stitched up then: it was bandaged for about three weeks.

243. Do you want to tell us anything else?—Yes. Brother Kilian hit me across the head and face with a bunch of keys.

244. Did it draw blood from you?—It took the skin off.

245. Have you anything else to say?—The bread was mouldy sometimes when we got it, and there was stinking grease on it sometimes.

246. Have you seen boys flogged?—Yes; I have seen marks on them. Some of them got it for nothing.

247. *Mr. Wardell.*] You left the school a year ago last May. Do you know how long you were there?—About six years.

248. *Mr. Bush.*] Were the boys flogged with their clothes on or off?—With their clothes off.

249. What sort of marks were they when you saw them on the boys?—The skin was off.

250. Is there anything else you want to speak of?—Yes. The soup was cold, and there was grease on top of it, and we had to drink it.

251. What about the hill-work?—We used to have to go up six or seven times a day. Some of the boys on their way down would have their posts taken from them and given to pets.

252. Do you mean that when you went up six or seven times the posts were taken from you and given to other boys?—Yes.

253. And you did not go all the way up and down six or seven times?—No.

254. *Mr. Wardell.*] How long ago is it since you went up?—About five years ago, when Brother Wibertus was in charge.

255. Where were the posts you brought down taken to?—To the cricket-ground.

256. Were these posts used for the boundary-fence?—No.

257. Where are you residing now?—In the hospital.

258. Anything else?—The tea was weak when we got it. Most of the boys called it dish-water.

259. *Mr. Wardell.*] What about the clothes?—They were cold.

260. *Mr. Bush.*] Did you always get clothes when you asked for them?—No.

SATURDAY, 11TH AUGUST, 1900.

Mr. Fell: I have just had handed to me a letter received by Brother Loetus from the boy Thomas Lane. It was written in June. [Letter put in.]

THOMAS LANE, recalled.

1. *Mr. Wardell*.] Is that your writing [showing Lane the letter] ?—Yes.
2. Did you send it to Brother Loetus ?—Yes.

Mr. Wardell read the letter, as follows :—

“ DEAR BROTHER LOETUS,—

“ Nelson Hospital, 8th June, 1900.

“ I now take the pleasure of writing you a few lines, hoping to find you in good health, and to let you know how I am getting on. I am getting a lot better now. I would like you to give me a situation up at the Orphanage when I am better, and I would do my best to do everything well and get on very well. I would like you to write down and let me know if you will, and I would be very thankful to you. I am also very thankful to hear that my brothers are getting on well. Dr. Talbot is going to leave the hospital on 31st August, to go to England. Mr. O'Connor is getting no better. Robert Sullivan is getting better slowly, but I think will take a long time. I hope you will leave my brother answer my letter next week, and fetch them down to see me on Sunday. This is all I have to say at present. So good-bye, and may God bless you.

“ I remain, &c.,

“ THOMAS LANE.”

Mr. Wardell : Is the lad Ross here ?

The constable in attendance : He says he will not come unless sent for.

Mr. Wardell : He was told yesterday to attend to-day.

THOMAS LYNCH, examined on oath.

Witness : I am an inmate.

3. *Mr. Wardell*.] Did you ever make a statement to a boy named Quinn, or Barrett, charging one of the Brothers with improper conduct towards you ?—No.

4. If these boys, Quinn and Barrett, ever told other boys that you did so, would they be speaking the truth ?—No.

5. Did you make a statement of the kind I mentioned to anybody else besides Quinn or Barrett or Father George Mahony ?—No.

6. *Mr. Bush*.] You never told anybody ?—No.

7. Not even Father George Mahony ?—Yes.

8. *Mr. Wardell*.] When you told that to Father George Mahony, were you speaking the truth or not ?—No.

9. Have you since told Father George Mahony that your first statement was not true ?—Yes, I told him it was not true.

10. Did any one tell you to tell Father George Mahony that your original statement was not true ?—No.

11. How did you come to tell him that if it was not true ? What made you say it ?—Some of the boys put me up to say it was true.

12. How long ago is it since you first mentioned this to Father George Mahony ?—Three or four weeks ago.

13. Is it since you have heard about the trouble about the boys being locked up ?—Yes.

14. *Mr. Bush*.] Do you want us to understand you made this charge, knowing that it was not true, because other boys told you to make it ?—Yes.

15. You are quite certain there is no truth in it ?—Yes.

16. You are not saying this because you are afraid you might be beaten ?—No.

17. *Mr. Hogben*.] How many boys told you to make that statement ?—Three.

18. Who were they ?—O'Leary, Yeadon, and Earnshaw.

19. Were they altogether when they told you ?—Yes.

20. Where were they ?—In front of the Orphanage.

21. Do you remember when it was ?—No.

22. What time of the day was it ?—After breakfast.

23. Do you remember what day of the week ?—No.

24. How did you come to be out in the front ?—We were going to see Father George Mahony.

25. Can you remember what they told you to say ?—No.

26. Did they tell you what to say ?—Yes.

27. And did you say what they told you ?—Yes.

28. Had they spoken to you about it before ?—No.

29. You are quite sure it is not true at all ?—Yes.

30. What made you say it ?—They told me to say it.

31. What did they want you to say it for—did they say ?—No.

32. You know that, if it were true, it would be a very wrong thing ?—Yes.

33. Have you ever done anything wrong like that ?—No.

Mr. Bush : The boys John Earnshaw, William O'Leary, and Arthur Yeadon made complaints to us when we were up at the Orphanage. After making their complaints, we asked them if they had anything else to say, and they said “ No.”

Mr. Fell : The name of Father George Mahony having been mentioned, I would like the Commissioners to allow him to state the circumstances under which the boy Lynch made the statements to him. I also propose to call Brother Wibertus in reference to this particular matter.

GEORGE MAHONY, recalled and re-examined on former oath.

34. *Mr. Fell.*] With reference to the story you have just heard from the little boy Lynch : he said he made certain statements to you. Will you be good enough to state the circumstances?—A fortnight or more ago, when I was at the school, I was giving a little lecture to the boys. I said that I had never had any complaints from them, and I invited any of the boys who had complaints to make them. I told them that rather than there should be any dissatisfaction I would like the whole school to come down to the inquiry. I invited all those who had complaints to make to meet me next morning before I left. At my request the Brothers gave them full liberty to come. This was on the Sunday evening. Next morning several boys came outside my room. I told them to come in one by one. Amongst those who came in was Thomas Lynch. He made an insinuation of an immoral nature against one of the Brothers. I suggested that it was a grave statement to make, but he insisted that it was true. I did not question him further then, as I intended to make further inquiries. His charge was made only in general terms. I heard what the other boys had to say. Whilst at dinner in town, at 1 o'clock on the same day, I was called out to see Frank Curran, the baker at the Orphanage. He said that Lynch had sent word by him that what he had told me in the morning was quite false. I afterwards heard that after leaving that morning the boys were talking about the matter, and that, in consequence of something said by Lynch, James Maher said to him, "If it is not true you should go and tell Father George." In the end Curran came down, with a message, on a bicycle. I accepted that and thought no more about it. On Friday, the 3rd August, Dean Mahoney and I drove up to the Orphanage. Whilst there I noticed several boys about the yard, amongst them the boy Thomas Lynch. When Lynch saw that I was free—that is, away from the others—he came up to me and said, "I told you a lie the other day, Father." Then I questioned him more closely about it, and he said, "About what I told you on the Monday, when the boys were making complaints." He told me then that there was no truth whatever in the charge he had laid against one of the Brothers. I asked him then whether he was telling me the truth this time, and he said he was.

35. Did he say how it came about?—He said the boys had put him up to it. I told him what a serious thing it was to make a charge of this kind against a Brother without any foundation, and he repeated again that there was no truth in it, and that the boys had put him up to it. I questioned him very closely, and received a complete denial of his first statement.

36. Have you had any conversation with the boy on the subject since?—No.

37. Did you disclose the matter to any one?—I told it to Dean Mahoney, and to two of the Brothers who were in town giving evidence. That was after I got the message from Frank Curran.

38. *Mr. Hogben.*] Have you ever had any complaint of this kind before?—No.

39. Have you ever seen anything at the school as pointing in the direction of that kind of thing?—No.

40. Or between the boys themselves?—None whatever.

41. You know that in a public institution of this kind there is a danger of such vices springing up?—Yes; I am quite aware of that.

42. Have precautions been taken to prevent such a vice springing up at this school?—Yes; I have insisted on the boys being vigilantly looked after when together in various places.

EDOUARD FORRIER (known in religion as BROTHER WIBERTUS), examined on oath.

43. *Mr. Fell.*] You are a member of the Marist Brothers?—Yes; I have been so for the last twenty-six years.

44. What is your nationality?—I am a Belgian.

45. How long have you been at the Orphanage at Stoke?—For the last ten years.

46. For some years you were prefect in the school?—Yes; for four years and six months. I was the first prefect. After that Brother Ligouri came from Sydney to recruit his health, and he was appointed prefect. He died at the school, and he was succeeded by Brother Kilian.

47. You have resigned your duties at the Stoke Orphanage?—Yes.

48. And you left Nelson wher?—Last Monday, with Brother Loetus and Brother Kilian.

49. Under orders from your Superior, I believe you three had taken your passage, and were going to Sydney last Thursday?—Yes.

50. You, after all, gave up your passages and came back here in consequence of these proceedings?—Yes; Brother Loetus and I returned.

51. You also received a subpoena from the Commission?—Yes, last Thursday.

52. And you had an urgent wire from your Superior telling you not to go to Sydney?—Yes.

53. You have heard the statements made just now by the boy Lynch and Father George Mahony?—Yes.

54. It has been suggested that you were guilty of some act of immorality with that little boy, and you have heard his denial. Was there any truth in his first statement?—There has never been anything of the kind.

55. With that boy, or any other?—Neither with him nor any other.

56. *Mr. Hogben.*] Have you at any time within the past five years, with perfect innocence, of course, treated any of the boys in a more affectionate way than you have the others?—In the matter of clothing, when a boy has taken greater care of his clothes than other boys I may have given him a better suit or a better coat. When that has been done other boys have taken offence, and put it down as favouritism.

57. Have you ever at any time shown affection to any of the boys—for instance, have you put your arms round their neck?—I may have slapped them on the shoulder in passing in a friendly kind of way.

58. You do not remember having shown undue affection to any boy or boys?—No.

APPENDIX.

A.

In the matter of the Commission appointed to inquire into the management of St. Mary's Industrial School, Stoke. To R. S. Bush, Esq., S.M., and H. S. Wardell, Esq., J.P., Commissioners.

THE Nelson Charitable Aid Board complains of the management of St. Mary's Industrial School, Stoke, in reference to the following matters:—

1. That, although many of the boys at the school are very young, the school is entirely under the management of unmarried men, no Matron having been employed there for many years.

2. That the punishment of the boys at the school has been and is more severe than is allowed at Government industrial schools, and more severe than should be allowed in such a school as St. Mary's.

3. That the boys' food has been and is insufficient in quantity, poor in quality, and not sufficiently varied.

4. That the boys have been and are poorly and insufficiently clothed.

5. That certain of the work required to be performed by the inmates has been and is too hard especially for lads of tender years.

6. That boys who have died at the school have been buried in the grounds connected with the school.

7. That St. Mary's Industrial School, being a private school under "The Industrial Schools Act, 1882," stands on a different footing to Government industrial schools, and is not subject to the same supervision and inspection as Government schools, although the majority of the boys at the school are committed there by Magistrates, and supported by Government or Charitable Aid Boards.

C. J. HARLEY,

For the Nelson Charitable Aid Board.

B.

Letter from JAMES MAHER.

DEAR FRANK,—

Lower Moutere, May 14th, 1900.

I now take the pleasure of writing you these few lines to tell you how I am getting along. Well, I reached Hope that night we started, and we had some jolly fun. We went into a woman's house and old Second found out peas, onions, potatoes, and milk. We had a bit of candle, which we lit, and, my word, the old woman came rushing and screaming "I'll screw your neck; I'll tann you well." Second and myself threw down a billey of milk and a soap-box full of peas and rushed off as hard as we could, laughing and fooling, till we came to a cart-shed, where we slept for the night. We got up at 4 o'clock and started off as hard as we could till we got to a girl's house, where we called and got some food. When we had a good tuck-in we started off to Wakefield, and on the way we were almost caught by old Joe Bush. We were sneaking through the goss, and pricking our legs. My word, we were glad when we came across an old broken fowl-house; there we had some fun. We chased the old hen off her nest and grabbed—we got fifteen eggs and started off towards the hills. We were thinking how we would cook them; however, on our way we came across a nice new billy, which we filled up with water and boiled the eggs. We went travelling on the steep hills, when we heard some one fire a gun, and it wasn't very far off either. By gollies, we rushed up the hill as hard as we could until we came in sight of some more houses. Some old man was yelling out, but we didn't care for that. We travelled on until we came to a big hill; there we had a nice little fire all the evening warming our toes. About 5 o'clock we started for the Moutere. We crossed that big bridge and walked right along the main road (now mind this was on Friday night) until we got to the Brightwater Hotel; there we turned and went straight down a road and came to a house, where we got something to eat. We knocked at the door. Second was a bit scared, but I opened the door and walked in. By hang, we saw the ugliest man in the world looking at us. We said to him, as if we were starved beggars, "Please give us something to eat." He said to his wife, "Get some food for these boys." She got some tinned meat and bread-and-butter. They were going to give us a bed only it wasn't their house. The old man was asking us a devil of a lot of questions, when the wife told him to shut up his mouth and not have so much to say. The man said, "You are getting mad." He was going like waw-waw-waw-waw, &c. We cleared out with our bellies nice and full, and slept there for the night in a loft, where we had plenty of oats. We got up at 5 o'clock and got on the Moutere Road, which we were going to give up because we thought there was no end to it (this was on Sunday morning). However, we travelled on, and at last came to the Moutere. My word, we were so tired. Well, this is not important, so I will tell you that I have got a place. I get treated so kindly that I would like to stay here all my life. Second is working at another place about 200 yards off me, so you may be pretty sure that we have plenty of fun. Don't show this letter to any one, or say anything about it; only show it to Harold, my best friend.

Address—

JAS. MAHER,

C/o. (mind now) Mr. G. Stade, Lower Moutere.

C.

RECEIPTS and EXPENDITURE of STOKE ORPHANAGE from 1st August, 1898, to 1st August, 1900.

Receipts.			Expenditure.		
	£	s. d.		£	s. d.
From Government	2,389	16 0	Wages	322	12 0
Charitable Aid Boards	1,513	18 0	Insurances, rates, interest	754	14 2
Sale of wool, hops, skins, and hides	1,068	17 8	Bread, besides 1,100 bushels raised on farm	488	11 0
Bequest	200	0 0	Meat, besides cattle and between 600 and 700 sheep	89	7 6
Brothers attending retreats	90	0 0	Seed	70	0 0
Rent of cottage	21	14 0	Boys' clothing	708	0 0
			Postage	32	0 2
			Groceries	581	8 8
			Coal	74	18 9
			Ironmongery	307	10 0
			Brothers' clothing, travelling-expenses, &c.	283	0 0
			Wine, spirits, and beer	35	0 0
			Stationery	41	15 0
			Potatoes, besides 40 tons raised on farm	42	10 0
			Painting and glazing	70	0 0
			Timber	28	0 0
			Butter, besides what is made on farm	39	17 6
			Carts, traps, and harness	57	17 9
			Blacksmith	40	0 0
			Sheep-dip, binder-twine, &c.	10	0 0
			Pigs, £4; rams, £4 10s.	8	10 0
			Furniture, new and repairing	93	6 11
			Medical attendance	13	3 0
			Rick-cloth	7	10 0
			Horse-covers	7	13 0
			Young trees	8	15 0
			Museum	5	9 6
			Share in boat	2	0 0
			Charcoal	2	2 10
			Straw	7	10 0
			Repairing range	2	1 10
			Hurdles	2	0 0
			Dog registration	1	5 0
			Use of threshing-machine	2	10 0
			Nelson <i>Evening Mail</i>	2	12 0
			New Zealand <i>Farmer</i>	2	8 0
			Beehives and honey	3	10 0
			Paid on original debt on property	500	0 0
			Total expenditure	4,749	9 7
			Current account in Bank of Australasia	11	16 1
			Deposited in Post-Office Savings-Bank	523	0 0
			Total	£5,284	5 8
Total	£5,284	5 8	Expenditure	£4,749	9 7
Receipts	£5,284	5 8	Current account in bank	11	16 1
			Deposit in Savings-Bank	523	0 0
				£5,284	5 8

D.

DIETARY SCALE AT STOKE.

(Produced by Brother Loetus.)

Breakfast.—Sunday—Cocoa or coffee, bread and jam or butter; Monday—Tea, bread and jam or butter, porridge, milk and sugar; Tuesday—Tea, bread and jam; Wednesday—Same as Monday; Thursday—Same as Tuesday; Friday—Same as Monday; Saturday—Same as Tuesday.

Dinner.—Sunday—Cold beef or mutton, steamed potatoes and vegetables, pudding; Monday—Stew of mutton or beef, potatoes and vegetables, bread; Tuesday—Same as Monday; Wednesday—Mutton or sausage, potatoes and vegetables, pudding; Thursday—Same as Monday; Friday—Tea, bread and butter, mashed potatoes, cheese; Saturday—Same as Monday.

Tea.—Sunday—Tea, bread and jam or butter; Monday—Tea, bread and golden syrup; Tuesday—Tea, bread and butter; Wednesday—Tea, bread and dripping; Thursday—Tea, bread and jam; Friday—Tea, bread and golden syrup; Saturday—Tea, bread and butter.

Fruit-pie in the season.

CAVERSHAM DIETARY SCALE.

Breakfast.—Monday, Wednesday, and Friday—Porridge, bread, dripping, coffee; other days same, without porridge.

Tea.—Bread, treacle or dripping, five days; Sunday, jam; Thursday, butter; Friday, buns as well.

Dinner.—Monday—Irish stew; Tuesday—Barley soup, meat, rice-pudding; Wednesday—Boiled beef, dumplings, potatoes; Thursday—Roast beef, suet-pudding, potatoes; Friday—Meat-pies, rice or bread puddings; Saturday—Stew; Sunday—Cold mutton, pickles, plum-pudding. Also other vegetables five days.

BURNHAM DIETARY SCALE.

Breakfast.—Bread and milk three times a week; porridge four times a week; with each morning bread and dripping and coffee.

Dinners.—Sunday—Cold roast beef, potatoes, pickles, and plum-pudding; Monday—Roast mutton, potatoes, fresh vegetables in season; Tuesday—Corned beef, with bacon occasionally, potatoes, fresh vegetables boiled with meat, plain suet-pudding with stewed fruit or syrup or roly-poly jam-pudding; Wednesday—Meat-pie, potatoes, fresh vegetables in season; Thursday—Boiled mutton hot, fresh vegetables boiled with meat; Friday—Corned beef hot, with bacon occasionally, potatoes, fresh vegetables boiled with meat, rice-pudding with stewed fruit or currants and with milk; Saturday—Irish stew, with bread. In winter-time, when there is a scarcity of fresh vegetables, haricot beans are served as a variety.

Tea.—Bread and butter three times a week; bread and dripping four times a week, with one slice of bread and jam, syrup, or honey each evening except Sunday; currant-buns on Friday; tea and cocoa on alternate evenings. In season abundance of lettuces, radishes, and onions; also plenty of fresh and stewed fruit.

E.

Regulations under Industrial Schools Acts.

GLASGOW, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, this fourteenth day of October, 1895.

Present: HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

In pursuance and exercise of the powers and authorities vested in him by "The Industrial Schools Act, 1882," His Excellency the Governor of the Colony of New Zealand, with the advice and consent of the Executive Council of the colony, doth hereby make the following regulations in respect of industrial schools within the meaning of the said Act.

PUNISHMENTS IN GOVERNMENT INDUSTRIAL SCHOOLS.

Subject to the provisions of this regulation, the Manager of any Government school established or maintained under "The Industrial Schools Act, 1882," may, at his discretion, administer to any inmate of the school any corporal punishment such as may be lawfully inflicted by schoolmasters; but the Manager, if a man, shall not administer any corporal punishment to any girl with his own hands, but shall direct that it shall be administered by the Matron, or in the presence of the Matron by a female officer of the school.

A teacher, while in charge of a room or playground in which the inmates of a Government school are subject to the same kind of instruction and discipline as that which is provided in the public schools of the colony, may, at his discretion, administer such corporal punishment as may be lawfully inflicted by schoolmasters.

Except as hereinbefore provided, no officer or servant shall on any account be allowed to strike an inmate, or to inflict any corporal chastisement, and every officer or servant shall be liable to summary dismissal for any breach of this rule.

No cane, stick, or whip may be used for the chastisement of an inmate of a Government school. A leather strap may be used; provided that such strap shall be in breadth not less than one inch and a half, and shall not exceed twenty-five inches in length, a quarter of an inch in thickness, and four and three-quarter ounces in weight, and shall not be pierced with holes or cut into a fringe, and that in the punishment of girls and young boys, and in every case where severe punishment is unnecessary, a much lighter strap shall be used. Such whipping as mothers administer in private with the hand or the slipper is not forbidden. A birch may be used in the punishment of big boys when some show of ceremony appears to be called for, but no birch shall be used until it has been certified to by the medical officer of the school as suitable for the purpose.

No stroke on the head or neck can in any case be allowed under any name whatever—tap, box, cuff, or any other.

When an inmate is punished by the Manager for absconding from the school, or for any other offence coming within the terms of the 67th section of "The Industrial Schools Act, 1882," the Manager shall send to the Minister of Education a copy of the Magistrate's order under which the punishment is inflicted.

The Manager may at his discretion punish an inmate by restraint of liberty or by restriction of diet; subject, however, to the strict observance of the following rules:—

Confinement in a dark cell is forbidden.

Solitary confinement for more than three hours in one day is forbidden.

Solitary confinement at night is forbidden.

The punishment of bread-and-water diet must not last longer than twenty-four hours at one time, and must not be repeated without an interval of seven days.

The substitution of porridge for the ordinary dinner, or the deprivation of pudding or other esteemed article of diet, may not be continued in any case for more than seven days; and, after undergoing a punishment of this kind for any number of days, an inmate shall not be punished again in the same way until after the lapse of twice as many days.

In any case in which restriction of diet is imposed as a punishment care must be taken that food is supplied in sufficient quantity and in sufficient variety to satisfy a healthy and natural appetite.

Punishment by the imposition of some badge of degradation or of some special article of dress may be inflicted, but not without the special sanction of the Minister of Education.

ALEX. WILLIS,
Clerk of the Executive Council.

F.

HEIGHT and WEIGHT of BOYS at the STOKE INDUSTRIAL SCHOOL, 1st August, 1900.

Age.		Height.		Weight.		Age.		Height.		Weight.	
Yr.	mo.	Ft.	in.	St.	lb.	Standards: Height, 4 ft. 7 in.; weight, 4 st. 11 lb.					
7	0	3	10	3	7½	Average age at school, 12 yr. 6½ m.; average height, 4 ft. 3¼ in.; average weight, 4 st. 7¼ lb.: <i>i.e.</i> , 3¼ in. below standard, 3¼ lb. below standard.					
7	0	3	10¾	3	7½	Yr.	mo.	Ft.	in.	St.	lb.
8	0	3	11½	3	9½	12	0	4	3¾	4	6½
British anthropometric standards: Height, 4 ft. 1·7 in.; weight, 3 st. 12 lb.						12	6	4	1	4	7½
Average age at school, 9 yr. 6 m.; average height, 4 ft. 1½ in.; average weight, 4 st. 1 lb.: <i>i.e.</i> , normal height, 3 lb. above normal weight.						12	6	4	2	4	8½
Yr.	mo.	Ft.	in.	St.	lb.	12	6	4	3¼	4	3½
9	0	4	1¾	3	13½	12	0	4	3¾	3	9½
9	0	4	0½	3	11½	12	11	4	0	3	11½
9	0	4	0	3	10½	12	4	4	4½	4	8½
9	0	4	2	4	0½	12	10	4	5¾	5	1½
9	0	4	1¾	4	5½	12	3	4	4½	5	5½
9	0	4	2	4	4½	12	6	4	5¼	5	0
9	0	4	2½	4	3½	12	11	4	5¼	4	13
						12	10	4	5½	4	7½
						12	11	3	11¼	4	1½
Standards: Height, 4 ft. 3·84 in.; weight, 3 st. 13½ lb.						Standards: Height, 4 ft. 8·9 in.; weight, 5 st. 6 lb.					
Average age at school, 10 yr. 6 m.; average height, 4 ft. 1·6 in.; average weight, 4 st. 2 lb.: <i>i.e.</i> , 2¼ in. below standard, 3¼ lb. above standard.						Average age at school, 13 yr. 5 m.; height, 4 ft. 6½ in.; weight, 5 st. 4½ lb.: <i>i.e.</i> , 2½ in. below standard height, 1½ lb. below standard weight.					
Yr.	mo.	Ft.	in.	St.	lb.	Yr.	mo.	Ft.	in.	St.	lb.
10	0	3	11½	4	1½	13	1	4	8½	5	13
10	0	4	4¾	4	10½	13	2	4	8½	5	5
10	3	4	2½	4	3½	13	5	4	0	5	1
10	2	3	11½	3	8½	13	0	4	5	5	5
10	6	4	1	4	1½	13	2	5	1¾	6	9
10	6	4	2½	4	2½	13	1	4	5¾	5	0
10	7	4	3	4	5½	13	2	4	7	5	5
10	11	4	2¾	4	5½	13	9	4	8	5	0
10	8	4	0¾	3	12½	13	1	4	7¾	5	10
10	11	4	0	3	10½	13	6	4	5½	5	0
						13	0	4	7	5	2
						13	6	4	8	5	8
						13	6	4	5	5	4
						13	9	4	5¼	4	10
						13	10	4	5½	5	0
						13	5	4	6	5	6
						13	7	4	4¼	4	13
						13	7	4	7	5	7
						13	6	4	3½	5	1
						13	6	4	9	5	10
						13	6	4	6	5	5
						13	2	4	7¾	5	8
						13	3	4	8½	5	10
						13	3	4	5¼	4	6
Standards: Height, 4 ft. 5½ in.; weight, 4 st. 4 lb.						Standards: Height, 4 ft. 11½ in.; weight, 6 st. 4 lb.					
Average age at school, 11 yr. 7 m.; average height, 4 ft. 3½ in.; average weight, 4 st. 7 lb.: <i>i.e.</i> , 2 in. below standard, 3 lb. above standard.						Average age at school, 14 yr. 5 m.; average height, 4 ft. 8½ in.; average weight, 5 st. 13¼ lb. <i>i.e.</i> 3 in. below standard height.					
Yr.	mo.	Ft.	in.	St.	lb.	Yr.	mo.	Ft.	in.	St.	lb.
11	2	4	2½	4	5½	14	5	4	8½	5	13¼
11	2	4	4¾	5	0½						
11	2	4	3½	4	6½						
11	5	4	3	4	8½						
11	6	4	2½	4	3½						
11	6	4	4½	4	1½						
11	9	4	2	3	13½						
11	8	4	3	4	6½						
11	7	4	5¾	4	5½						
11	7	4	5¾	5	1½						
11	9	4	1¼	4	5½						
11	9	4	3¾	4	9½						
11	9	4	5	5	2½						
11	7	4	1¾	4	1½						

HEIGHT and WEIGHT of BOYS, &c.—*continued.*

Age.		Height.		Weight.		Age.		Height.		Weight.	
Yr.	mo.	Ft.	in.	St.	lb.	Yr.	mo.	Ft.	in.	St.	lb.
14	1	4	7	5	1						
14	4	4	7 $\frac{1}{4}$	5	5						
14	1	4	8	5	11						
14	3	4	7 $\frac{3}{4}$	6	1						
14	7	4	10	5	13						
14	3	4	6 $\frac{3}{4}$	5	11						
14	2	4	11	6	5						
14	9	4	6 $\frac{1}{4}$	5	7						
14	2	4	5 $\frac{1}{4}$	5	7						
14	9	4	9	5	9						
14	10	4	11 $\frac{1}{4}$	7	6						
14	4	4	6	4	11						
14	9	5	0 $\frac{1}{4}$	7	2						
14	5	4	7 $\frac{3}{4}$	5	11						
14	0	4	9 $\frac{3}{4}$	6	9						
14	6	4	9 $\frac{1}{2}$	6	3						
14	5	4	8 $\frac{1}{2}$	6	2						
14	1	4	6	5	6						
14	6	4	9 $\frac{1}{4}$	6	4						
14	3	4	9 $\frac{3}{4}$	6	4						
14	1	4	9 $\frac{1}{4}$	6	1						
14	6	4	8	5	9						

Standards: Height, 5 ft. 2 $\frac{1}{4}$ in.; weight, 7 st. 5 lb.
Average age at school, 15 yr. 6 m.; average height, 4 ft. 11 $\frac{1}{2}$ in.; weight, 6 st. 10 $\frac{1}{2}$ lb.:
i.e., 3 $\frac{1}{4}$ in. below standard height.

15	0	4	11	6	8 $\frac{1}{2}$
15	0	5	2	7	3 $\frac{1}{2}$
15	0	4	10	6	7 $\frac{1}{2}$
15	0	5	2 $\frac{1}{2}$	7	3 $\frac{1}{2}$
15	0	4	9	6	0 $\frac{1}{2}$
15	0	4	11	6	9 $\frac{1}{2}$
15	0	4	11	5	10 $\frac{1}{2}$
15	0	5	1	7	11 $\frac{1}{2}$
15	0	4	11	6	12 $\frac{1}{2}$
16	9	4	6 $\frac{3}{4}$	6	0 $\frac{1}{2}$
16	6	5	2	7	0 $\frac{1}{2}$

G.

AGES of LITTLE BOYS at the CONVENT [Handed in by the Manager].

2	...	at	...	3 years.	6	...	at	...	7 years.
1	...	at	...	4 "	5	...	at	...	8 "
5	...	at	...	5 "	1	...	at	...	9 "
4	...	at	...	6 "	1	...	at	...	10 "

H.

BOYS on the BOOKS of the SCHOOL, 31st December, 1899.

In the school	...	...	...	...	...	...	151
Boarded out	...	...	...	...	...	...	2
With friends	...	...	...	...	...	...	46
At service	...	...	...	...	...	...	35
In hospital	...	...	...	...	...	...	1
In lunatic asylum	...	...	...	...	...	...	2
In gaol	...	...	...	...	...	...	2
Absent without leave	...	...	...	...	...	...	2

Total (including 26 at the Convent, Nelson) ... 241

11th August, 1900.

GEORGE HOGGEN.

I.

NUMBERS in VARIOUS STANDARDS at SCHOOL [Handed in by the Manager].

Preparatory	...	...	3	Standard IV.	...	...	24
Standard I.	...	...	8	" V.	...	...	20
" II.	...	...	16	" VI.	...	...	8
" III.	...	...	41	" VII.	...	...	1

Abraham Ryan and Percy Noble, being imbeciles, are not reckoned in the above.

J.

DEATHS AT STOKE [Handed in by the Manager].

Joseph Whiteside, aged seven years, died 21st March, 1891. Francis Gallagher, aged seven years, died 19th July, 1893. James Sullivan (half-caste), aged fifteen years, died 23rd September, 1893. Thomas Grace, aged seven years and six months, died 17th February, 1894. Arthur Hand aged eighteen years, died (at hospital) December, 1894.

Hence only four deaths in ten years, and no death for the last six years. Four died at Stoke, one at hospital.

K.

NOTE of COMPLAINTS made to the COMMISSIONERS.

Nelson, Friday, 10th August, 1900.

Frank McCormack complains of the food and clothing provided for inmates while he was at the school, up to four years and a half ago; also the punishment inflicted up to the same period; also of excessive work.

Thomas Lane complains of ill-treatment of his brother and himself; also of quality of food, flogging, and excessive work.

William Ross stated that he had heard that Thomas Lynch, an inmate, had stated to two boys, named Quinn and Barrett, that Brother Wibertus had treated him indecently. Ross made no complaint. Was told to be in attendance in the morning of 11th August, when Lynch would be present.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1900.

