

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.