

Ques. 762. When Mr. Smith had closed his defence did the Commissioners proceed to examine the evidence received on each charge; was an index made to the several points of evidence, and the testimony referred to, and carefully weighed, and were minute instructions on each count thereupon given to Mr. Brown for his guidance in drawing up a draft report?—Ans. The book will answer this question, shewing as it does, that this was the course adopted and practised by the Commissioners.

Ques. 763. Was the draft report considered paragraph by paragraph, by the Commissioners under each count, the extracts of evidence carefully referred to and read, and the whole report amended and adopted unanimously, by all five of the Commissioners?—Ans. Certainly it was.

Ques. 764. By whom was the fair copy of the report made from the draft report?—Ans. I believe Mr. Alexander Campbell was employed on this work, and I saw him at Montreal engaged in making the copy.

Ques. 765. When the fair copy was completed, was it carefully read over by the Commissioners, amended and adopted unanimously at a full Board?—Ans. Certainly.

Ques. 766. Was the extracting, collating, and arranging the evidence, quoted in the report, either legally, or in fact, the individual act of Mr. Brown, of were the whole Commissioners, equally with him, responsible for it?—Ans. All equally responsible.

Ques. 767. Are the conclusions arrived at in the report, strictly in accordance with the evidence, is there one passage you would alter now, with the additional light you have since acquired, and the severe criticisms that have been applied to the document by the partisans of those condemned in it?—Ans. All was strictly in accordance with the depositions made. I am not aware of any alteration desirable, or requisite to be made.

Ques. 768. It having been alleged by Mr. Smith, that he was condemned by the Commissioners on convict testimony: will you please say if this is true, or if the Commissioners did not state in their report, page 106, "as to convict testimony it was only used in the charges, to complete the evidence of other witnesses, and even then, to so small an extent, that had it been expunged altogether, the charges would not have been materially affected"?—Ans. Convict evidence was only received as corroboratory or confirmatory of other testimony, and the minute is quite correct.

Ques. 769. Were the charges preferred by Mr. Smith against the Commissioners, and by Mr. Macdonald in 1849, 1850, and 1851, at all of the same character, as those levelled at Mr. Brown by Mr. Macdonald, in the House of Assembly, in the debate on the speech from the Throne of the present session?—Ans. They were very different indeed. No charge, morally affecting Mr. Brown, *individually*, was made at that time, what was then stated, amounted to a general complaint of the mode in which the investigation was conducted, and alleged injustice consequently done to the Warden.

Ques. 770. Mr. Macdonald having charged Mr. Brown with "obtaining the pardon of murderers confined in the Penitentiary, to induce them to give false evidence," and Mr. Smith having stated before this Committee, that convicts Cameron, DeBlois, and Henesey were pardoned; but he did not know at whose instance; will you be good enough to state if any one of these convicts was pardoned, at the solicitation of Mr. Brown, or of the Commissioners, or of the Inspectors, while you were a Member of the Board?—Ans. None, to my knowledge or belief.

Ques. 771. Do you believe that Mr. Brown was in any way concerned, directly or indirectly, in the release of any of the said convicts, or even knew of their release?—Ans. I do not believe that Mr. Brown interfered in any such cases.