

*Fifth Day—Wednesday, March 12th.*

**PRESENT :—**The Chairman, Messrs, Clarke, Sanborn, Masson, Wilson, Stevenson, and Felton. Also, Mr. Brown and the Hon. J. A. Macdonald.

Mr. *Brown*, in explanation of the cause of his absence, stated that he had misunderstood the time to which the Committee adjourned, or he would have been present before. He understood from Mr. Wilson that the Committee had adjourned till Wednesday.

Mr. *Macdonald* being then called upon to open his case,

Mr. *Wilson* said that Mr. Macdonald had better state the course which he intended to pursue.

Mr. *Macdonald*.—He intended, in the first place, to have all the papers connected with the matter laid before the Committee. He would then go into his case.

Mr. *Wilson*.—Did he himself mean to state anything of his own knowledge?

Mr. *Macdonald*.—He intended to manage his own case ; but not to make himself a witness. If the Committee made him a witness, or if Mr. Brown called on him as a witness, of course he would appear as one ; but not otherwise.

Mr. *Sanborn* asked if they were agreed as to what the charge was.

The *Chairman* then read the charges as given in the beginning of this Report.

Mr. *Wilson*.—The Committee ought to understand something about the mode which they intended to pursue. He thought the charges ought to be taken up one by one, and the evidence given accordingly. The charges should be spoken to *seriatim*.

Mr. *Macdonald* then called Mr. Grant Powell, as the first witness, and asked him in what capacity he appeared there, whether he was a Clerk in the Provincial Secretary's office, and of what papers he was in charge?

Mr. *Powell* replied that he was a Clerk in the Office of the Provincial Secretary, and in the Upper Canadian Department. He was directed by the Provincial Secretary to come here in his place. Mr. Cartier had been called on to produce the Report of the Committee appointed to enquire into the state of the Provincial Penitentiary, and all the papers connected with that enquiry.

[By Mr. *Ferres*.]—Do you produce those papers?—Ans. No ; I have not got them.

[By Mr. *Macdonald*.]—Why do you not produce them.