

ducted principally by Mr. Brown, and the Commissioners left it to him to draw out in his own way, the evidence which we all thought it necessary to be produced. Mr. Brown necessarily exhibited pertinacity in eliciting testimony from a witness who was considered to be unwilling to give testimony, or to give testimony under prejudice; but I consider that the evidence was truthfully taken down.

Ques. 704. When the evidence of each witness was closed for the time, was his whole deposition re-read to him, amended to suit him, and a distinct assent to its correctness asked and obtained in every case?—Ans. I believe it was so in every case.

Ques. 705. When the assent of the witness had been so asked and obtained to the correctness of his deposition, was not the assent of the Warden in every case, also asked and obtained as to its correctness?—Ans. I believe it was so in every case.

Ques. 706. When the assent of the witness and the Warden to the correctness of the testimony had been obtained, were not the following words invariably appended to the deposition: "The foregoing evidence was read aloud; Mr. Warden Smith declared the evidence correctly taken down; witness did the same and signed it?"—Ans. I recollect no exception to this rule.

Ques. 707. Did the Secretary then read aloud these words, and was the deposition in every case, then signed by the witness?—Ans. This was the case.

Ques. 708. Had you frequent occasion before the Commissioners closed their labors, to examine the official record, and did you ever discover the slightest variation, between the testimony as recorded by Mr. Brown, and that actually given?—Ans. I daresay that I may have had frequently examined the official record. I never discovered, and had never reason to believe, that there were any variations.

Ques. 709. Was there any discourtesy shewn to any witness by any of the Commissioners; was any witness brow-beaten or insulted?—Ans. I remember no instances of discourtesy or of insult. It is difficult to determine the meaning of "brow-beating." The Commissioners had occasionally, witnesses under examination, who were considered as partizans of the Warden and the Inspectors, and whom they believed to be very unwilling to give testimony to the prejudice of these parties. Under these circumstances, it was considered necessary to make their examinations rigid, and Mr. Brown acted as a Counselor would be expected to do, under such circumstances, and with that pertinacity and impulsiveness which is natural to him, and which might have been expected from a person determined to obtain, what he considered the proper replies. I should observe, however, that I was not present at the examination of Mr. Hopkirk, or Mr. Costen, or at those of some other of the principal witnesses, called by the Warden, and whom the Commissioners had certainly reasons, to believe came before them, much prejudiced. These parties would necessarily be subjected to stringent cross-examination.

Ques. 710. Did any witness refuse to sign his deposition?—Ans. I recollect no instance of such refusal.

Ques. 711. Was any intimidation used towards any witness by any of the Commissioners; were any threats of dismissal or promises of any kind, held out to any witness; or were the Commissioners, on the contrary, most careful to guard against doing anything that might unduly influence the testimony of parties, who might be witnesses before them?—Ans. The Commissioners were most anxious to assure all parties connected with the enquiry, that their testimony would be received without prejudice, and the Commissioners would have scorned to use threats or intimidation, or to make promises of any kind, in reference to the examination of witnesses.

Ques. 712. Are the conclusions arrived at in the Report, strictly in accord-