

Ques. 643. Were not all the officers who gave evidence in favor of Mr. Smith, discharged, or ordered to be discharged?—Ans. Certainly not. No person was recommended to be discharged, except on grounds that the Commissioners considered to be sufficient.

Ques. 644. Were not T. Cooter, T. Smith, W. Smith, H. Manual, W. Martin, A. Ballantyne, H. Grass, F. Little, T. Sexton, T. Somerville, James McMahon, R. Tyner, and J. Watt, dismissed; and were not E. Horsey, F. Bickerton, and M. Pollard ordered to be dismissed by the Commissioners?—Ans. I cannot recollect the whole of these names, but I have no doubt the major part of them were dismissed, or recommended to be dismissed by the Inspectors, and on very good and sufficient reasons in every case, as the minutes of the Board of Inspectors will show in each case. I will remark here, that no man was punished or intended to be punished, in any way for any evidence he might give before the Commissioners except in those cases, where there was palpable and deliberate perjury, the evidence before the Commissioners teemed with such cases and with proofs of the thorough incapacity of other officers of the Penitentiary, whose removal subsequently occurred.

Ques. 645. Did not Hugh Manual state before you in evidence, on the 3d Jan., 1849: "Witness expects nothing else than that he would be dismissed from the Penitentiary for giving evidence in favor of the Warden?"—He did.

Ques. 646. Did not Hugh Manual on the same day testify as follows?—"Kelly has told witness that officers who gave testimony in favor of the Warden would be dismissed, and more than him have said so—Skinner has said so; he said Pollard and Manual and a good many others who would be in the Warden's favor would be dismissed; Skinner said the Commissioners told him so, when he was before them."—Ans. He did.

Ques. 647. Could you possibly know that the Warden had exhausted his case, upon his refusing to proceed with his defence, on the plea that the Commissioners over-ruled his questions to Mr. Brown?—Ans. I never stated that I knew that the Warden had exhausted his case, and you, with my evidence before you, must be aware that I did not so state.

Ques.—648. Could you know whether Mr. Smith had exhausted his case or not?—Ans. I certainly could not know.

Ques. 649. Will you look at the draft Report, and say who principally prepared it?—Ans. Mr. Brown did.

Ques. 650. Is it not all in Mr. Brown's handwriting except in one case?—Ans. A small portion is in my hand-writing, and two small portions also in Mr. Thomas's."

Ques. 651. In whose handwriting are the figures in the draft Report, indicating the lines in the Book of Evidence, from which evidence had to be extracted, to form the report?—Ans. Mr. Brown's.

Ques. 652. Were the extracts selected by the Commissioners or by Mr. Brown, and subsequently approved of?—Ans. We all assisted in the selection. I know that I, in many instances, pointed out passages that ought to be inserted. The greater portion I have no doubt were Mr. Brown's selection, and they were approved by the Commissioners. Mr. Brown had a regular index of his own, to which he frequently referred, and I had my own copy of the evidence, to which I also referred on various points.

Ques. 653. Were the original Books of Evidence, or copies of them, transmitted to the Government, or ordered so to be?—Ans. They were not, to the best of my knowledge.

Ques. 654. You have stated in your evidence that only extracts of evidence were made for the report, and in your answer to question , you state "that the approbation of the Government was conveyed to the Commissioners of their report, as a fair and impartial statement of facts." How could the Government judge from the extracts, in the absence of the context, as to the fairness or im-