

Ques. 685. You have also stated in answer to the same question, that Mr. Brown did give evidence on McCarthy's trial in 1849. Had he not previously, and during the sitting of the Commission, viz., in September, 1848, when the charge of perjury against McCarthy was preferred, refused to give evidence before the Grand Jury, or to produce the Book in which McCarthy's alleged false statements upon oath were recorded; and did he not at last produce that book and appear and give evidence at McCarthy's trial in consequence of Mr. Hopkirk's complaint to the Government that he had refused to do so, and the consequent letter from the Secretary of the Province, ordering him to attend?—Ans. I have no knowledge of the facts referred to in this question.

Mr. Macdonald closed his cross-examination of this witness.
The Committee adjourned until 10 o'clock, A.M. to-morrow.

Wednesday, May 14th, 1856.

Committee met,—

MEMBERS PRESENT :

JAMES MOIR, FERRES, ESQUIRE,
(*Chairman.*)

Mr. Sanborn,
Mr. Wilson,
Mr. Masson,

Mr. Clarke,
Mr. Stevenson.—6.

The Hon. Mr. Macdonald and Mr. Brown were present.

E. Cartwright Thomas, Esquire, Sheriff, of the County of Wentworth called and examined by Mr. Brown.

Ques. 686. Were you present at all the meetings of the Penitentiary Commission, from the 23rd June, 1848, to the 5th July, 1848; from 12th July to 29th July; from 19th August to 6th September; from 17th October to 10th December, 1848; and from some day in February, 1849, to the close of the Commission?—

Ans. I was present at these dates up to the 5th December, as I find, by reference to the minute book. I cannot state positively after the date of the 5th December, 1848, but I think it probable that I was in attendance up to the 18th December; after the latter date, I see no minute of my attendance, but I was certainly in Kingston for a longer or shorter period, to consider the Report, and in Montreal for the same purpose.

Ques. 687. Have you any knowledge that Mr. Brown "recorded falsely the evidence of witnesses examined before the said Commission?"—Ans. I have no such knowledge.

Ques. 688. Have you any knowledge that Mr. Brown "altered the written testimony of witnesses after their evidence was closed and subscribed?"—Ans. I have no such knowledge.

Ques. 689. Have you any knowledge that Mr. Brown "suborned convicts to commit perjury?"—Ans. Certainly not.

Ques. 690. Have you any knowledge that Mr. Brown "obtained the pardon of murderers confined to the Penitentiary, to induce them to give false evidence?"—Ans. Certainly not.

Ques. 691. Did the Commissioners on assembling at Kingston, carefully consider the course they should pursue in conducting their enquiries; did they communicate their intended course to Mr. Warden Smith and Mr. Hopkirk; and did these gentlemen declare themselves "highly satisfied" therewith?—Ans. My own impressions are so, and the minutes of evidence confirm these impressions.