

[By Mr. *Felton*.]—Where is the original now?—Ans. It was destroyed.

Mr. *Felton*.—It could not have been at the fire at Montreal, it must have been at the fire in Quebec.

Mr. *Macdonald* then gave notice that he would call on the Secretary of the Commission to produce any original documents he might have in his possession.

Mr. *Felton*.—That notice ought to be given in writing.

Mr. *Sanborn* thought that according to the strict rules of the courts there was no sufficient evidence that the original documents had been destroyed.

Mr. *Macdonald* wanted the original documents very much.

Some discussion arose here as to the Petition of Mr. H. Smith, senior, which had been printed for the use of the Members of the Committee.

Mr. *Brown* could not understand what this Petition had to do with the case. He objected to its forming any part of the documents before the Committee.

Mr. *Felton* contended that this Petition was part of the documents of the House, and therefore came under their notice as well as any other papers relating to the transactions of the Penitentiary Commission.

Mr. *Macdonald* having written out his notice then handed it in to Mr. Brown.

A discussion arising here respecting some points of order in the proceedings of the Committee, the doors were ordered to be closed.

The Committee then adjourned.

Sixth day—Friday, March 13th, 1856.

PRESENT :—The Chairman, Messieurs Sanborn, Wilson, Stevenson, Felton, Clarke, and Masson.

Miles O'Reilly, Esquire, Barrister, appeared as counsel for Mr. Brown, and Philip Vankoughnet, Esquire, Q. C., appeared on behalf of Mr. Macdonald.

Some discussion ensued as to whether the principals in the enquiry should be allowed to speak or take part in the management of their respective causes, or whether the whole matter should be left to the counsel.

Mr. *Brown* objected to being bound down in the commencement of the trial to have his mouth closed.

Mr. *Felton* contended that the whole matter should be conducted as in ordinary Courts of Law.