

The comparison was made before the Commissioners, and duly considered by them, whether each individual Commissioner compared the extracts I cannot recollect.

Ques. 791. When you say in answer to question 766, that all the Commissioners "were equally responsible for the collating and arranging the evidence" quoted in the report," do you mean to say that you had yourself, as an individual, collated or arranged any part of it, or by whom was it collated and arranged?—Ans. It was done to our full satisfaction, but whether separately, or individually by the Commissioners, I cannot recollect.

Ques. 792. Did you make extracts yourself and with your own hand from the Book of Evidence?—Ans. No.

Ques. 793. You say in answer to question 767, that the conclusions of the Report were "all strictly in accordance with the depositions made." Had you carefully yourself compared the original depositions made, or only the extracts used at drawing up the Report?—Ans. I did not myself individually, but the Commissioners were perfectly satisfied.

Ques. 794. You have stated in answer to Mr. Brown's question, 762, "that convict's testimony was only received as corroboratory or confirmatory of other testimony," do you state positively that this was invariably the case?—Ans. To the best of my knowledge it was so.

Ques. 795. You have stated in answer to Mr. Brown's question, 763 that the charges preferred by Mr. Smith and Mr. Macdonald in 1849, 1850 and 1851 were very different indeed "from those levelled by Mr. Macdonald against Mr. Brown in the House of Assembly, in the debate on the speech from the Throne this Session," and that "no charge morally affecting Mr. Brown *individually*, was made at that time," were you present on all or any of these occasions, and did you hear Mr. Macdonald's charges, and if not, how can you testify to anything occurring then?—Ans. No, I was not present.

Ques. 796. With reference to your answer to Mr. Brown's question, 774, were you present when Manual gave the testimony referred to, or when he was dismissed by Mr. Brown on the day of McCarthy's trial?—Ans. If I was in Kingston, I was certainly present.

Ques. 797. Do you remember whether you were in Kingston or not when Manual gave his testimony?—Ans. The Books shew that I was.

Mr. Macdonald closed his cross-examination of Hon. Adam Fergusson.

Mr. Fergusson was re-examined by Mr. Brown.

Ques. 798. Do you know of any alteration or interlineation in the original evidence after it had been subscribed, or has Mr. Smith or Mr. Macdonald, or any one else, been able to point out to you any such alteration or interlineation in the original evidence?—Ans. No.

Ques. 799. You have stated in answer to question 787, that the Warden was allowed great license in the manner of preparing his defence; was he not also allowed the widest latitude in the character of the defence offered by him, and his mode of examining his witnesses?—Ans. Yes, certainly he was.

Ques. 800. Did the Commissioners make a true statement when they wrote officially to Government on 16th October, 1848, "Not a tithe of the evidence received is relevant to the matter at issue, and when the Commissioners hint to the Warden the propriety of his coming to the point, he exclaims immediately that if he is to be trammelled in his defence, he would give it up at once. The Commissioners being desirous to prevent the Warden's availing himself of such a plea for retirement, have hitherto allowed him full scope?"—Ans. It is quite correct

Mr. Brown closed his re-examination of Mr. Fergusson.

(Witness withdrew.)

The Committee adjourned until 10 o'clock, A. M., to-morrow.