

Mr. *Macdonald*.—He would be able to show that in the course of his case.

Mr. *Brown* thought it was a very fair application.

Mr. *Wilson*.—It might be conceded that the report was lost.

Mr. *Felton* thought they had better have some further evidence.

Mr. *Ferres*.—Mr. Spink is not the proper custodian of these documents, it is the Clerk of the House.

Mr. Spink was then summoned but the messenger said that he was not in the House.

Mr. *Macdonald* said that he would have Mr. Spink here tomorrow, and Mr. Lee also. After that he would open his case.

Mr. *Brown* suggested that they might take the destruction of the documents for granted and go on with the case.

Mr. *Sanborn* asked if it was conceded that the original evidence was destroyed; he thought the Committee ought to be fully satisfied that it was destroyed.

Mr. *Brown* was willing to admit anything to bring the case up.

Mr. *Macdonald* thought the original book of evidence might be traced out.

Mr. *Lindsay*, the Clerk of the House, was then called.

Mr. *Ferres* enquired of him if he could tell them anything about the book of evidence that was along with the Report of the Commission? Had it been in his possession, or had he the book of evidence?—Ans. It was all destroyed at the fire of 1849; there was not a scrap of anything saved.

[By Mr. *Felton*.]—Are you custodian of all documents sent to the House of Assembly?—Ans. Yes.

Ques. Did a book of evidence accompany the report?—Ans. The evidence was always attached to the report; to the best of my knowledge it was in this case.

[By Mr. *Macdonald*.]—Do you remember a book?—Ans. I cannot say whether it was a book or merely sheets sewed together.

[By Mr. *Ferres*.]—Were these original documents or copies?

[By Mr. *Brown*.]—Do you remember the laugh that was raised when they were laid on the table?—Ans. I remember that they were very voluminous. I cannot state whether they were the original documents or not.

[By Mr. *Ferres*.]—What became of them?—Ans. They were sent to the printer. If a copy was made for the printer the documents themselves would be kept, but if a copy was not made the documents would be sent, and in that case they would be returned. I cannot remember which was done.

Mr. *Macdonald*.—The evidence was never printed.