

stitution; were those conversations always held in your presence, or were they frequently held by Mr. Brown in your absence, and their results reported by him to you?—Ans. To the best of my knowledge, in the presence of all the Commissioners.

Mr. *Felton*, a Member of the Committee, entered.

Ques. 783. Were the extracts from the evidence of the parties to be examined, and referred to in your answer to question 744, made by yourself or by Mr. Brown?—Ans. Always written by the Secretary, but determined upon by the Commissioners.

Ques. 784. Were the extracts referred to, in answer to Mr. Brown's question, 745, as having been "carefully considered by the Commissioners," compared by you with the original evidence?—Ans. I could not pretend to recollect.

Mr. *Clarke*, a member of the Committee, entered.

Ques. 785. You have given unhesitating answers to questions 751, 752, 753, 754, 755 and 756; could you uniformly know that the things which you there affirm to have positively taken place, and those which you, with equal certainty, declare never to have taken place, could have been, on all occasions, as you state them, when you were yourself absent during the cross-examination of many of the Warden's chief witnesses?—Ans. I have already stated that I could not speak of things during my absence, all of my affirmative or negative answers are correct to the best of my knowledge.

Ques. 786. In answer to question 757 you state that you had frequent occasion to examine the official record, and never found the slightest variation between the testimony as recorded by Mr. Brown, and that actually given; you have also stated in answer to question 738, that "you kept no book of notes of the evidence yourself:" what means therefore could you have had, of discovering variations between evidence actually given, and that recorded by Mr. Brown, seeing that the recorded testimony extends over three folio volumes and upwards of 1335 pages?—Ans. By the satisfaction of each witness, before he signed his deposition it was read over to him very carefully, and he was always asked if it was correct.

Ques. 787. You have stated in answer to Mr. Brown's question, 760, that no question pertinent to his defence, sought to be put to any witness by Mr. Smith, was over-ruled by the Commissioners, but that, "on the contrary, you considered "that the Warden met with uncalled for license, in respect of the latitude allowed "to him;" will you be pleased to state in what that 'uncalled for license' consisted, and will you point out instances thereof?—Ans. The Warden was allowed full time to consider the evidence before he entered on his defence, and it was the opinion of the Commissioners that it was more favorable to the Warden than *viva voce* cross-examination, that mode of examination had been approved of by the Warden and his friends.

Ques. 788. You state in answer to question 761, that "the Commissioners "were particularly careful upon all such points, to avoid anything which could "give rise to suspicions or complaints of undue influence over any witness brought "before them." Do you mean to answer as to the conduct of your brother Commissioners, except when you were personally present?—Ans. Of course I can speak of nothing that occurred in my absence.

Ques. 789. To what book do you refer when you say, in answer to Mr. Brown's question, 762, that "the Book" will answer the question, shewing, as it does, the course adopted and practised by the Commissioners?—Ans. The Book detailing our proceedings.

Ques. 790. When you say in answer to question 763, that the Commissioners in forming the Report carefully referred to the extracts of evidence; do you mean that you had yourself compared these extracts with the original evidence?—Ans.