

that nearly all the witnesses being officers of the Penitentiary, who had given evidence in favor of Mr. Smith, the Warden, were dismissed; and that several who had been dismissed by the Warden were reinstated after having given evidence before the Commissioners against him.

Your Committee also find that two convicts who had given evidence against the Warden, were recommended for pardon by the Penitentiary Commissioners, soon after the close of their proceedings by letters of Mr. Brown, the Secretary, and that the pardon of one was recommended not to be intimated to the convict until after his testimony should have been secured, and it was sworn to by two witnesses before the Commissioners themselves, that the said convict had made no secret of his expected pardon.

Your Committee, in conclusion have to express their regret, that Mr. Attorney General Macdonald, although he had made similar charges against Mr. Brown, and the Penitentiary Commissioners, in 1850 and 1851, in the performance of his duty as a Member of Parliament, on information given him by one of his constituents, should have allowed himself in the heat of debate to reiterate them, in the position he occupied in Your Honorable House.

The whole nevertheless humbly submitted,

JAMES MOIR FERRES,

Chairman.

Committee Room,

House of Assembly,

6th June, 1856.