

make the fires at dark on Sunday night, and to stop them at *daylight*. The watchman usually came on about supper time during the week, he would be there on Saturday night, and was relieved on Sunday morning at about 10 o'clock, when witness would sometimes relieve him, and would return at about 12 or 1 o'clock, and sometimes later, to resume his duties; this was before the order given by Mr. Roberts, afterwards he quit when the state watchman would go away in the morning, and not return again. When not relieved by witness, the watchman would go for his meals during Sunday from the premises—before the order from Roberts.

*Question.* Why did you extinguish the fires on Saturday, the 22d of December, at 5 P. M., if you had under Mr. Hilbert's permission right to continue them until Sunday at daylight?

*Answer.* We had no fires on Saturday, the 22d, or for some days prior to that time in the dry houses. They had been unable for some weeks, say six weeks, to procure a supply of hoops, and during that time had not finished barrels. There was an intermission of that particular kind of work. There was a good deal of other work done, such as cutting and drying timber. They had kept on at that until every place was full where they could put it in the shop or dry houses.

*Question.* Did Mr. Gambrill remain all night of Saturday, the 22d of December? Do you know when he left in the morning of Sunday?

*Answer.* Mr. Gambrill did remain all night, so far as I know on Saturday night, the 22d of December, 1860. I do not know when he left on Sunday morning, the 23d of December, 1860.

*Question.* Can you say from your own knowledge or observation that the negro convicts in cleaning the dormitories on Sunday, the 23d of December, were not properly supervised?

*Answer.* On that day I was not present at the Penitentiary until after the fire broke out. I cannot say.

*Question.* With what Committee or Directors was the agreement (A) made?

*Answer.* The agreement was made at a Board meeting. Mr. Hurst was present, and Mr. Jarrett, and three or four others.

*Question.* At the time this agreement for settlement with the Board was made, did you complain of the orders of Messrs. Evans and Roberts, or either of them, or set up any claim on your part against the Directors or the State of Maryland?