

APPENDIX No. 2.

Q. That is all?—A. I do not know any more talk about it.

Q. You say it was Culligan that gave you or showed you this penciled memorandum?—A. Yes, sir.

Q. And did he tell you he had seen myself just before?—A. I do not remember that he told me that or not.

Q. Did he tell you he had met Mr. Pottinger and myself, had come on the train with us, and on the train had brought up the subject of his ties being rejected because they were spruce and Ultigan's taken although they were spruce, and that he had got this memo. from me which would authorize his spruce ties to be inspected the same as other spruce ties that were inspected?—A. He told me if I remember, the first I can remember, I do not know of the—he showed the note. He told me before he got it he was going to Pottinger to have it arranged, and I do not know who he went to, or anything more about it.

By Mr. Barker :

Q. Did you go to your superior officer, the engineer at Moncton before?—A. I did not go to Moncton at all.

Q. You did not ask if you were right, or not?—A. No, sir, I did not.

Q. You simply acted on the minister's direction?—A. No, sir, I did not.

Q. You referred to Ultican. Was there trouble with Culligan?—A. I do not know of any trouble.

Q. No trouble about it, you have not refused to pass his?—A. I might have refused a pile of ties along the road, and I suppose they may be left there yet.

Q. You did refuse to pass Mr. Ultican's, and they have not been passed since?—A. As far as I know.

Q. Did Ultican get any letter to you?—A. No, sir, I didn't hear of him getting any letter.

Q. Was there any letter written by anybody, Mr. Pottinger, Mr. Burpee, the minister, or anybody else, about the passing of Ultican's ties?—A. There was a letter from Mr. Pottinger to Ultican, taking his tie, taking a certain lot of ties, I do not remember what.

Q. Were those ties that had been delivered under contract?—A. Yes, sir.

Q. And Mr. Pottinger thought your instructions read to accept these?—A. I believe he wrote to Ultican that he would take his ties.

Q. But they were delivered?—A. Oh, they had not been delivered, that was before they had been delivered that he accepted the bargain.

Q. I am speaking of letters after the delivery, was there any letters sent by any person, the minister or Mr. Pottinger or Mr. Burpee or anybody else connected with the acceptance of ties delivered by Ultican?—A. No, sir, no letter, no letter at all after the instruction.

Q. At any time after the contract was entered into?—A. No, sir, not that I know of. The contract was entered into by letter.

Q. I am not speaking of the contract, the letter making the contract. I say after that contract was entered into was any letter sent by anybody with reference to the passing of Ultican's ties?—A. Not that I know of.

Q. You never heard of such a letter?—A. No, sir.

Q. What sort of a tie was Ultican delivering?—A. He was delivering a spruce tie.

Q. What kind of spruce?—A. It does not say, just spruce tie.

Q. What kind were you taking?—A. I was taking spruce.

Q. You told me there were three kinds of spruce?—A. I told you I took all the kinds there was.

Q. What kind did you take?—A. Principally white spruce.

Q. And some fir?—A. He had some cedar among them too.

Q. I am speaking of spruce ties?—A. There were some black in them I think.

Q. Are these men in the same district?—A. Yes, sir.

Q. They are in the same district?—A. Yes, sir.

Q. Then, Culligan was not correct when he told you there was no black in that district?—A. Oh, the general run of spruce there is a white spruce.