

points had been used and what rejected of notes hastily prepared, and what had been added by the solicitor for the above purpose and not for publication. They were far from complete. A fuller refutation of the "evidence" in question could have been produced from documents had it been called for, and copies of some letters and extracts are here added to further show the inadmissibility of much of his evidence.

Solicitor's
opinion.

HALIFAX, October 16th, 1896.

Dear Sir,—As solicitor for the Acadia Coal Company, I waited upon Dr. Gilpin, in the presence of two members (Mr. Madden and Mr. Mitchell) of the Commission, appointed by the Government to investigate matters in reference to the Foord pit at Stellarton, and objected to the statement received from Mr. Wills being considered by them. I pointed out that the Commission was bound only to receive legal evidence, and that legal evidence meant that an opportunity ought to be given to any person interested to cross-examine Mr. Wills. I handed to Dr. Gilpin on a subsequent occasion within two days thereafter, a prepared statement to show the total unreliability of Mr. Wills' evidence on certain material points, and this statement contained documentary evidence in support of the charge I made in reference to the nature of Mr. Wills' evidence.

Dr. Gilpin promised to refer the point that I had raised to the Attorney-General and abide by his decision on the admissibility of the evidence, and that afterwards I would be advised if the Commission wished to hear me further on the objections raised. I received no further intimation from the Commission, nor any request to attend before the Attorney-General, to argue the point as to the admissibility of this evidence.

H. S. POOLE, ESQ.,
Stellarton

Yours truly,

HECTOR MCINNES.

AN INCORRECT DATE ADHERED TO.—In answer to question 18, on page 86 of the Report, Mr. Wills on page 93 replies: "Practically (he took charge of the Foord pit) at the beginning of 1891."

The Commission ignore the correction of an error that is given them.

Although the solicitor's notes, page 102, shew he was back from England and down the Foord pit September 16th, 1890—a statement easily verified by local enquiry, yet the Commission, page 9, take Mr. Wills' purposely deferred date and say: "In January, 1891, Mr. Wills took charge." Some excuse might be made for Mr. Wills writing from memory of three years before, but this excuse can hardly be extended to a Commission that *ignores* the protests* of the party effected by the misrepresentation, and *ignores* the unquestionable evidence to be had from extracts from letters written at the time

But with further regard to such of Mr. Wills' evidence that might have weight if his date and implication were absolutely

* Letter to the Commissioner of Mines.
Statement of the Solicitor, page 102.