

Q. 254.—“Can you get me a copy of that indenture?”
A.—“Yes.”

Q. 255.—“And will you?”

That question was not answered, but Mr. DuVernet said,
“I will supply you with a copy of that indenture.”

Mr. O'Donoghue did not reply to Mr. DuVernet, but continued:

Q. 256.—“Now, are you quite positive there is that provision in the indenture?” A.—“I remember it so. I would not exactly swear to the fact that it is there.”

Mr. O'Donoghue to Mr. DuVernet:—“Will you consent to one of these going in as an exhibit?”

Mr. DuVernet: “Certainly.”

Mr. O'Donoghue proceeds.

Q. 257.—“How do your apprentices work—on piece work—or how?” A.—“They start on day work—they could not make a living at piece work.”

Q. 258.—“But you can switch them from day work to piece work and back again if you see fit?” A.—“Yes.”

Q. 259.—“And if they make too much at piece work you can put them on day work?” A.—“We desire them to make as much as they can; it is for the good of the company.”

Q. 260.—“How much per cent. do you keep off them when they work piece work?” A.—“It will be stated in the indenture. I forget. It varies for different work.”

Q. 261.—“The indenture is in blank?” A.—“I will get one that is filled in properly.”

There is no allegation that either Mr. Gurney or Mr. DuVernet refused to produce this indenture or an indenture filled up, or that the defendants, or any of them, in any way are or can be prejudiced by its non-production, and further, what appears to be a printed form of such indenture is in a copy of a paper called “The Toiler,” produced by Mr. Gurney as exhibit H, referred to in his affidavit. It may fairly be assumed that this is a true copy of the printed form of indenture used by plaintiff company.

The next thing that defendants desire to have produced is a letter within to Mr. Gompers, president of the American Federation of Labour, Washington, D.C., dated 22nd March, 1902.

Mr. O'Donoghue apparently had such a letter, or what purported to be a copy of such a letter, and he read it to Gurney and asked: