

other part, and state whether you identify them as true copies of contracts entered into by your firm for the construction of the Graving Dock at Esquimalt; and if either of them is not a true copy of its original please state in what respect it is incorrect?

A. I look at the Exhibits A. and B., now produced and shewn to me, and I believe them to be true copies of the contracts of which they respectively purport to be copies.

Q. 7. Were you in Victoria, British Columbia, in 1880, and, if so, during what period of the year?

A. I was; in 1880, in the months of July, August, and September.

Q. 8. While in Victoria did your firm enter into any agreement of partnership, or otherwise, with persons resident in British Columbia, respecting the construction of the 10 said Graving Dock, and, if so, what were the names of such persons?

A. Yes; with John Johnston Robertson, John Huntington, and John Nicholson, of the City of Victoria.

Q. 9. Was such agreement made in writing, and have you it? If not, who drew up the agreement and before whom was it executed? What was its date, and with whom was it left or deposited by you, or by the other contracting parties? A. The agreement was in writing; I had a copy of it, and I think it is filed as an exhibit in the suit of McKenna *vs.* McNance. I think it was drawn by Mr. Robertson, who afterwards became a judge, and is now dead.

Q. 10. Did you know the late Mr. Justice Robertson when he was a practising bar- 20 rister and solicitor in Victoria, and if so, can you state whether he had charge of the said agreement or not, or was in any (and, if so, in what) way professionally engaged in connection with its execution.

A. Yes; that was the gentleman I referred to in my last answer. Mr. Robertson had charge of one duplicate and was professionally engaged in connection with its execution.

Q. 11. Look at the document now produced and shewn to you marked "C" purporting to be a notarial copy of an agreement of partnership dated the 28th day of August 1880, and made at Victoria between the members of the firm of F. B. McNance & Co. of 30 the one part, and John Johnston Robertson, John Huntington and John Nicholson of the other part, and state whether or not such document or agreement was executed by your firm and the parties whose names appear thereto and in the presence of the witnesses whose names appear thereto?

A. I look at Exhibit "C" and I say that a document of which that appears to be a notarial copy was executed by myself and the other parties whose names appear thereto and was witnessed by the said Mr. Robertson.

Q. 12. Look at the "Daily British Colonist" dated Victoria, British Columbia, Friday, November 20th, 1883, now produced and shewn to you marked "D" and particularly at the article on the second page thereof headed "The McNance-Mitchell Suit," and state whether you or your firm were defendant or defendants in the action of McKenna *vs.* McNance mentioned in the article, and whether you gave evidence on oath as a witness at the 40 trial thereof at Ottawa, and if you were defendant in such an action state the names of the