

"Oh, well, that is not my trouble." He said that he had further conversations with Mr. Lesslie on the same lines. He said: "I did not expect any hours at all, I was not engaged by the hour. My hours consisted of the time it took to prepare and serve the meals, and until we were through regularly my time would take anything from ten to eleven hours a day; that we do not kick at."

"Q. The amount that you would be entitled to under your hiring at \$50 a month up to the time you left would be \$58.38? A. Something around there.

"Q. And you actually received for that time \$95.14, is that correct? A. I believe so.

"Q. That is, you received \$36.79 to which you did not consider yourself entitled? A. That is it."

Upon being shown that he was allowed for the week ending the 29th April, 101 hours, the week ending the 6th May, 86 hours, the week ending the 13th May, 92 hours, the week ending the 18th May, 105 hours, he was asked:

"Q. Did you put all those hours in there? A. No, sir, it was not necessary at all; I engaged by the month and hours or days were never mentioned to me at all; they simply mentioned to me that I would have to be on duty to do the cooking, three meals a day; when I was through with that I was through with my work. There never was any arrangement made with me so far as hours or overtime or special time or anything that way was concerned."

Mr. Lesslie gave the following evidence:

"Q. You hired him (Parks) at \$50 a month? A. Yes, he was hired by the month; cooks always are hired by the month.

"Q. Did you pay him on that basis of \$50 a month; as a matter of fact did not Parks point out to you that he was getting over payment? A. Never. I never found any man yet that said he was getting too much.

"Q. Did you give him too much? A. No sir, \$1.67 a day, that is \$50 a month. . . He had a lot of extra time in that last week when we were out there.

"Q. Did you give the cooks extra time? A. Yes. They had to get up and cook in the night, give extra meals in the night, we were out there three days working day and night, and he got some time here.

"Q. Where did you allow him the extra time? A. Right here in May. He gets 24 hours on the 14th, that is Sunday, and on the 15th he got 20 hours, on the 16th 28, on the 17th he got 18, on the 18th 15, that is all I have.