

2 EDWARD VII., A. 1902

8 feet long, 6 inch thick, and 6 inch face. We are paying others only 20 cents and I do not see how we can pay you 21 cents. Let me know what you can do. I will be able to let you know soon about the stretchers and telegraph poles.

Yours truly,

D. POTTINGER.'

Q. Mr. Pottinger evidently has a communication from him offering to deliver those ties for 21 cents? He writes to him 'I will not give you 21 but I will give you 20 cents for this class of ties.' This I understand is a modification of the offer that Ultican has made to Mr. Pottinger, the witness himself explains that. There is not a word to the inspector or inspectors as to his duties or anything else. That is a letter to the contractor. I think that is simply a letter from Mr. Pottinger to this gentleman stating that his offer of 21 cents has not been accepted, but that he will give him 20 cents?—No answer.

*By Mr. Emmerson :*

Q. And clearly Ultican accepts that offer, furnishes his spruce ties and McManus accepts them under the authority of such contract, but he cannot accept Mr. Culligan's ties for the reason that Mr. Culligan has no such letter or contract.

*By Mr. Haggart :*

Q. Is there any communication from the department to the inspector to act upon the contents of that letter?—A. Not here.

Q. Is there anywhere?—A. I do not know at present.

Q. We don't wish to be at any technicalities at all about it.—A. I do not know at present.

Q. Was that suggested contract there entered into with that individual.—A. I do not know at present.

*By Mr. Blair :*

Q. You know he supplied the ties?—A. He supplied the ties.

Q. And you treated that, you would treat that as a contract would you not, if he furnished the ties in accordance with the proposal there?—A. If he accepted it.

*By Mr. Flint :*

Q. Would not the delivery of the ties be virtually an acceptance of it?—A. It would, yes.

*By Mr. Bell :*

Q. There were two or three things I asked you for in connection with the Copper Crown matter; perhaps you can put them in now, there was a report of the ore prospects?—A. Yes.

Q. If you have them you might just put them in, we will not delay you now, the number of tons of ore they had brought in?—A. Very well.

Witness retired.

Committee then adjourned.