

ATTENTION

CO.'S

T STREET.

MILLS CO. ENDERBY AND

*** dapted for Klondike

ia. Agents.

conducive to this company's objects by of them, and to obtain from any government or authority any provis. Orders, Acts of Legislature, rights leges and concessions, which the commay think it desirable to obtain, and irry out, exercise and comply with any arrangements, Orders, Acts, rights leges and concessions:

a arrangements, Orders, Acts, rights, lieges and concessions:

5.) To establish or support, or aid in establishment and support of associas, institutions, funds, trusts and conences, calculated to benefit fishermenthers, being employees or exemployees he company or its predecessors in busic, or the dependents or connections of a persons, and "to grant pensions and wances, and make payments towards in inces, and make payments towards in e, and to subscribe or guarante for charitable or benevolent object any exhibition, or for any pul

eral, or useful object:

6.) To promote any company or comlies for the purpose of acquiring all or
 of the property and liabilities of this
ipany, or for any other purpose which
y seem directly or indirectly calculated
behefit this company:
7.) Generally, to purchase, take or lease
in exchange, hire, or otherwise acquire benefit this company:
7.) Generally, to purchase, take or lease in exchange, hire, or otherwise acquire real and personal property, and any his and privileges which the company y think necessary or convenient for the poses of its busines, and in particular lands, warehouses, wharves, canneries, lidings, essements, mechanisms, restricts.

lings, easements, machinery, plant, ar) To construct, improve, maintain manage, carry out or control ways, tramways, railways, brat ings, bridges, reservoirs, water-c harves, manufactories, wareho

rwise assist or take part in the con-ction, improvement, maintenance, work-management, carrying out or control of 9.) To invest and deal with the money company not immediately required by securities and in such manner guest spontities and in such manager from time to time, be determined:) To lend money to such persons and room expedient, and

6.) To lend money to such persons and such terms as may seem expedient, and particular to customers and others havdealings with the company, and to rantee the performance of contracts by such persons:

1.) To borrow or raise or secure the ment of money in such manner as the ment of money in such manner as the apany shall think it, and in particular the issue of debentures or debenture tk, perpetual or otherwise, charged upon or any of the company's property (both sent and future) including the mocalled or any of the company's property (both sent and future) including the uncalled ital, and to redeem or pay of any such irtites.

urities:

2.) To remunerate any person or com
y for services rendered or to be render
in placing, or assisting to place, or
ranteeing the placing, of any of th
res of the company's capital, or an
entures or other securities of the com
ny, or in or about the formation or pre
tion of the company or the conduct of
business.

business: 3.) To draw, accept, indorse, disco cute and issue promissory notes, bills of hange, bills of lading, charter partie rants, debentures, and other negotiable rrants, debentures, and other negotiable, negraterable, or other instruments:

M.) To sell or dispose of the undertakof the company, or any part thereof, such consideration as the company may ak fit, and in particular for shares, detures, or securities of any other comyr having objects altogether or in part illar to those of this company:

5.) To amalgamate with any other comyr having objects altogether or in part illar to those of this company:

8.) To distribute any part of the properof the company in specie among the the company in specie among

7.) To procure the company to be regised or recognized in British Columbia in the United States of America and ere abroad: sell, improve, manage, develop-lease, mortgage, dispose of, turi t, or otherwise deal with, all of part of the property and rights of the

9.) To do all or any of the above thing ny part of the world, and as prinagents, contractors, trustees or other and either alone or in conjunct h others: To do all such other things as ar dental or conducive to the attainment he above objects:

ven under my hand and seal of offic-victoria, Province of British Columbia third day of January, one thousand thundred and ninety-eight.

S.)

Begistrar of Joint Stock Companies

TICE is hereby given that 30 days aft pecial license to cut and remove ti com off a tract of land, situate in ar district, and more particularly ribed as follows: Commencing ribed as follows: Commencing at a int on the east side of Tagish Lake, it one-half mile above the Atlinto rivithence following the shore line of the in a southerly direction one and a f miles; thence east one-half mile; nee in a northerly direction. ence in a northerly direction fol he sinusites of the shore line est half a mile to place the ent; and comprising about 1,000 acresent; and comprising about 1,000 acresent Victoria, B. C., Jan. 12th, 1898.

TICE is hereby given that two menths fier date 1 intend to make application to the chief commissioner of lands and orks for permissioner of lands and ororks for permission to purchase on undred and sixty acres of land situate loast District, and described as follows ommencing at a post on the west shorf Kitimat Arm, about one mile north the land applied for by Messrs. Todd onlohoe and Stevens: thence west forthains; thence north forty chains; thence ast forty chains (more or less), to shorne: thence following the shore line in ne; thence following the shore outherly direction to the point

THE FACTS IN THE LIBEL SUITS

A Report of the Evidence and a Resume of the Chief Points of the Action.

Why Mr. Martin Threw Up His Brief The Premier and President of the Council Called

As Witnesses for the Defence, but Not Allowed to Give Evidence.

Nothing that has happened in British Columbia politics in years past has made give a fictitious value to the stocks of inal libel instituted under section 297 of mere political strumpets and are not enthe criminal code by the Hon. J. H. Turner, premier of the province, and the Hon. C. E. Pooley, president of the guage it employs. N man who cabinet council, against the Hon. Senator Templeman, manager of the Times, spect or confidence, and the man who and Hewitt Bostock, M.P., Ian Coltart and W. C. Nichol, of the Province. The trays a private one, for the one affects the Times consisted in republishing an country while the other concerns only the article from the Province of December persons immediately interested. If it 11th last, in which the two complaining ministers were sharply criticized for their alleged connection with English mining companies. The paragraphs in the article which it is claimed were of a libel-lous nature, were sworn to in the information as follows:

There is light at last. The criticisms of the Province have proved too much for the mantle of dignified reserve which the ministerial decoy ducks and the esteemed Colonist were endeavoring to throw around themselves in connection with the mining company schemes, and at last the badger has been drawn. Diguified reserve is a handy thing to have in the family, but the Province has apparently found weapons that will pierce it. One day last week the esteemed Colonist came to the conclusion that criticism of the connection of the Hon. H. Turner and the equally Hon. C. E. Pooley with mining companies was an exhibition of journalistic blackguardism, the like of which it had never seen; and Sunday this was followed by an inview with the Hon. J. H. Turner and aditorial article in which the esteem-Colonist seeks to show that various er men holding cabinet positions have from time to time identified themselves various private business interests. la the opinion of the esteemed Colonist it is a brutal shame that the Hon. J. H. Turner and the equally Hon. C. E. British Columbia is a difficult matter. Pooley should be criticized while these Every section has different needs, many other offenders are allowed to go scot of them urgent, and is clamoring for es-Then the esteemed Colonist goes sistance. To help all, and especially to to public positions of trust and importwith a reference to Mr. Turner's inter- record. It has devoted itself to

of the people. "The esteemed Colonist desires to make the public think that it is ingenuous, but it is hardly honest. Right and wrong are not merely a matter of locality. If other public men have misbehaved themselves in the manner in which the Hon. H. Turner and the equally Hon. C. then they should be denounced and punished for their misbehavior. It is not, however, with the public men of Great Britain or the other parts of Canada or the States that the people of British Columbia are called upon at the present time to deal. They are not on trial here, but the Hon. J. H. Turner and the equally Hon. C. E. Pooley are. Nor has arvone criticized the Hon. J. H. Turner cause he is a member of a wholesale dry goods and wet goods firm or the equal-Iv Hon C E Pooley because he practises law in the odd hours when he is not engaged in running the country. The chief point of the criticism has been that these gentlemen have been using their official positions for the purpose of inducing the investing public of Great Britain to buy mining stocks. Mining companies are notoriously uncertain en terprises, and it is a fact with which Dewdney's brass plate with another one everyone is familiar that British investors have been bitten so often by the promoters of mining companies that they have become shy of investing, and only do so when the names of those connected with them are of such a high character as to inspire confidence. Naturally when the sale of shares is announced in a company in British Columbia having on its directorate the premier of British Columbia and the president of the cabinet council of British Columbia, the fact January 11th, when he was also sent has a tendency to make people believe that this company is not of the wild-cat order, but of such a character as to practically guarantee investors that their money will be safe. Will Mr. Turner or Ir. Pooley or the esteemed Colonist deny this statement of facts? Will they deny that the official positions of the Hon. J. H. Turner and the equally Hon. C. E. Pooley have been paraded before the people of England in circus poster type or any other purpose? Have they the effrontery to deny that they are trading u their portfolios for personal gain? Will they have the impudence to say that they are not posing as decoy ducks to oring the dollars into the game bags of the needy promoters hiding behind the weeds? What does this clause in the prospectus mean: "With the opportunities which such a board of directors as

that of this corporation will possess for

obtaining early and reliable information

as to the best sources of investment, this

part of the corporation's business should,

is believed, prove a considerable source

of profit," if it does not mean that the Hon. J. H. Turner and equally Hon. C. E. Pooley are prepared to put the government's plans and purposes and secret information at the disposal of the company for the company

for the benefit of the shareholders? If

the Hon. J. H. Turner and the equally

ing the government of British Columbia

Hon. C. E. Pooley do that they are mak-

they do not live up to that promise in Yes. the prospectus they have been a party to Q.—Do you a transaction which many would not hese that paper is? itate to characterize as obtaining money from the public under false pretences. They can accept whichever alternative they choose. Either one is sufficiently discreditable to damn them forever, and the government which they direct and control, in the eyes of honest men who are capable of seeing clearly the extrahave managed to place themselves. The Province has no hesitation in describing the situation of affairs as absolutely unique in the history of Canada, and we may all be thankful that this is so.

"Let there be no confusion in the pub lic mind regarding the position that these men occupy. In defying public opinion as they are doing, in scandalizing the press and the people of a large and important part of the British Empire and in taking advantage of the positions of trust and honour, to which they have been elected by the votes of the people, for the ignoble purpose of individual gain and to such a sensation as the action for crim- mining companies, they have become betrays a public trust is infinitely worse than his other wretched fellow who beresponsibility of Senator Templeman and all the people and the good name of the should be shown that a indge accepted a bribe for passing lenient sentence on a prisoner, there would be a howl from one end of the country to the other; yet what moral difference is there between a brib-

bribable Bench and a bribable Ministry? It is not pretended that the Premier and the President of the Council are lending their names and their official titles and influence and knowledge to the promotion of companies of a questionable character without receiving something in return. The consideration may be direct in the shape of stock or money or it may be indirect. Whatever it is it is obviously large enough to make it worth the while of men in high places to sell themselves. It is merely a case of bargain and sale. A great cynic once said that all men have their price, but it would be a deplorable thing if we were to accept this as true, merely because of the conduct of some of the members of the British Columbia Legislature. The optimist-and no man has a right to be anything else in this world-will rather

incline to the belief that these men are the exception. We are face to face with a sad crisis in British Columbia's history if they are not. -"But the whole course of the British Columbia Legislature has been of such a character as to invite suspicion and distrust. It has not been honest. We all admit that the Government of a vast and largely undeveloped country like

on to ask: "Where is this novel code help all at once, is a manifest impossi-of ethics to lead us, if the name of no bility. The Government that set itself publicman is to be used in connection with to work to study the conditions under business enterprises?" and with some few additional remarks to the effect that there are certain advantages incidental hands full, but it would find its reward in the grateful appreciation of the people. ance, the Colonist dismisses the subject The Turner Government has no such view, which it thinks will dispose of away the public property to land sharks the whole question to the satisfaction and charter-mongers and has ornamented Victoria with legislative buildings which are unquestionably the finest in Canada. No one pretends that these buildings were required. Their beauty we all admit, and we all know that it was advantageous to Victoria to have them erected here, but there was no necessity for them. The million dollars or so which they cost Pooley are misbehaving themselves would have done the province just one million dollars more good if it had been spent in developing the country. The olubuildings would have answered admirably for the next decade. Whether other influences than those which have appeared on the surface have been at work in this

reckless waste of the people's land and the people's money is a problem difficult of solution; but we are all entitled to speculate on the possibilities of things. How much the Heinzes and Dunsmuirs of the country have contributed directly to the pockets of the party in power, it would be interesting to know. Rightly or wrongly the opinion among those who are familiar with the Legislature and the legislative lobby is that the endorsation of the Government for any kind of questionable project can be purchased very much as one purchases a pound of beefsteak or a sugar-cured ham. It might not be inappropriate to supplement Mr.

here to the highest bidder." The case against Senator Templeman was heard first, the Senator being committed for trial, when the action against Mr. Coltart was proceeded with. On Friday, January 8, Mr. Coltart was sent up for trial, and on the Saturday following Mr. W. C. Nichol, the editor of Province," was also committed, Mr. Bostock's case came to an end on Tuesday, up. The prosecution was represented by Mr. M. Cassidy; the defendant Temple-

bearing the legend: 'Legislation for sale

man by Mr. F. B. Gregory, and the other defendants by Mr. Archer Martin. The issues involved in these cases are of such great political significance and possess such a keen interest for the electorate, that it has been deemed advisable to prepare an impartial report of the trial of the Nichol and Bostock cases, evidence in the case against Mr. Nichol being reported as follows from the notes of the official stenographer:

In the police court of the city of Victoria, before Farquhar Macrae, police magistrate, Victoria, B. C., January 7th, 1898, 10 a.m., Regina vs. Nichol, Mr Cassidy appearing for the prosecution; Mr. Martin appearing for the defence. Ian Coltart, called and sworn, testi-

Court-Q .- Your occupation, Mr. Colt art? A .- Accountant. Q .- And you live on Craigflower road?

Mr Martin stated that if Mr. Cassidy wished to prove the editorship, he admit-

directors of The Province, Limited Liability? A .- Yes. Q.-Which publishes The Province wspaper in this city? A .- Yes. Q .- You are also the secretary of that npany? A.-Yes. Q .- And you have been employed in

subversive to their own private interests | their office here, in which the paper is and the interests of this company. If published, for a considerable period? A .-Q .- Do you know who the editor of

Mr. Martin objected that the question was unnecessary in view of his admis Mr. Cassidy contended that the admis-

sion could not be taken in a criminal proceeding. The court directed the evidence to pro ceed, and a note made on the margin of deposition of the admission.

Q.-Well, who is the editor of that paper? A.-Mr. Nichol. Q.-The defendant here? A.-The de fendant.

Q.-And he has been for how long? .—About three months.
Q.—And has been for three months pest? A .- About three months; yes. Q.-Now, his duties as such editor are what? We are talking about the whole period? A .- The duties are the usual editorial duties of the paper. Q.—That is to say, he writes the edi-

torials in that paper? A .- Oh, no; not Q .- Well, I don't know, you see: I am very ignorant; I don't know what the Mr. Davey? A .- No, I did not, usual duties of an editor are, so I would just like you to tell me? A .- The duties | er, do you remember selling this copy of of an editor, I take it, are practically the paper to Mr. Davey? A .- I don't that he manages the paper—the matter reme that appears—the reading matter, to see copy

ble for everything, I take it. Q.—He is responsible for everything that appears in the paper? A.—I be-

Q .- Now, with regard to the reading matter, am I correct in saying that he either writes it himself or revises it fied: edits it is the technical term, I believe? With regard to the reading matter, he either writes it or revises it; looks it over, before it goes to press? A .- Oh,

Q .- Now, during the period to which you have referred, was there any other regular editorial writer on the staff of paper than the defendant? A .- I don't know

Q.-What? A.-I don't know. On the Q.-Yes. A.-Yes; that is my answer. don't know. Q.—There was none other occupying a oom in the building? A .- Well, I-

Q.—There is what is called an editor's oom, there? A .- Oh, yes. Q .- And that was occupied by Mr. Nichol during that period? A .- Yes. Q.-There is only one editorial room there? A.-No---Q.-There is a room with the word Editor" on the door? A .- Yes.

Q .- Mr. Nichol occupied that room during that period? A .- Yes. Q.-There was no other room of that kind around there, I mean to say, no other room with the word editor on it: no other room recognized? A .- There was

Q.—Yes, but you know what I mean? not swear that I did. I suppose I must -No other sanctum. Q.-No other editorial sanctum besides that? A .- No.

Q .- And no other visible editor around that I did. there? A .- No. Q.—I mean to say, no other visible ed or around there except Mr. Nichol? A

Cross-examined by Mr. Martin. Q.—You have stated, Mr. Coltart, that, is another operator, but he very rarely building? A.—I think I have seen him way—what goes or edits the editorial matter before it goes to press. I take it you mean that that is your understanding of the ordinary course of business? A .- Exactly. Q .- Do you know anything about this particular matter complained of here? A .- The libel complained of?

Q.-Yes. A.-Oh. no. Q .- You knew nothing of the course oursued in that matter? A.-Oh. no. Q.-You referred to what you understood to be the ordinary course of editorial duty? A .- Exactly

W. E. Ditchburn, called and sworn, Court-Q.-What is your full name, Mr. Ditchburn? A .- William Ernest Ditchburn.

Q.-You live where? A.-No. 40 Toronto street. Q .- Your occupation? A .- A Linotype

Mr. Cassidy-Q.-You are an employee of the Province Publishing Company? A .- Yes. sir. Q.-Of Victoria? A.-Yes, sir. Q.-Which publishes the Province newspaper? A .- Yes, sir.

Q.-You know the Province, Limited Liability? A .- I don't know the difference between the two companies. Q .- You don't know the difference be tween the two companies? You know there are two companies occupying that building? A.-I have been told so. Q .- And you are an employee there?

-Yes. Q .- And the condition of affairs is such that you do not know the difference | Province office. between the two? Mr. Martin objected, as not being what he witness said.

Mr. Cassidy-I suggest that to him. Mr. Martin-I object to that. Q.-You know there are two companies operating in there? A.-I have been

Q .- You have been told so; and you know you are an employee of one of them? A .- I know I am working in the building, and I am employed by the publishing company, I think.

Q.-You are employed, you think, by the publishing company. You are paid, anyway, by somebody; you are paid for what you do in there? A .- Yes. Q.-By Mr. Coltart? A.-I think Mr. Coltart signs the checks.

Q .- Mr. Coltart signs the checks. You are paid for your services by checks of Mr. Coltart, which Mr. Coltart signs? A .- I don't know that he signs them; his name is on them, that is all. Q.-Anyway, you work the Linotype there, for somebody? A.-Yes. Q.—That is a type-setting machine

A.—Yes. Q .- You set up with that machine the eading matter for the Province newspaper? A.-Yes, sir. Q .- And have done so for how long? .-About nine months, anyway. Q.-I produce to you an issue of the

last and show you a certain article be-Mr. Martin objected that the document referred to was not proved, or identified by the witness.

Mr. Cassidy-I will prove that by Mr Wheeler, then. Witness excused for the time being. Arthur Wheeler, being called and sworn, testified:

Court-Q.-Your full name, Mr. Wheeler? A .- Arthur Wheeler. James street.

Q .- And your occupation?

lishing Company. Mr. Cassidy—Q.—You have been employed in the building there for some time, have you not? A.—I have been employed there since the 28th of August this year. Q.-Since the 28th of August last? A-Yes; I mean last year.

Q.-1897? A.-Yes. Q.-There is a room there, as you go open to the public, with a desk, or whatever you call it-a long desk there? A.-Do you ask me if there is? Q.-Yes. A.-There is one, yes.

Q .- And you sometimes sell the Provnce newspapers? A .- I have sold them, Q .- There? A .- There, certainly. Q .- You were called in Mr. Temple-

man's case? A .- I was not, no. In Mr. Coltart's case. Q.-In Mr. Coltart's case. You told us then that you sold this to my clerk, Q.-Well, I ask you now, Mr. Wheel-

remember selling that copy; I sold some that it is in proper form, and so on.

Q.—You say he is responsible for the editorial matter? A.—Oh, he is responsible for the ber what date. I remember selling it that week.

> the week in which December 13th was, and immediately after this issue? A.-Yes. Arthur Davey, called and sworn, testi-

Q .- You remember selling it that week,

Court-Q.-Your full name? Are Arthur Davey. Q.-A student at law? A.-Yes. Q .- And you live where? A .- Burn-

side read. Mr. Cassidy-Q.-I produce to you a copy of the issue of the Province newspaper of December 11th last, and ask you if you recognize it (Handed to wit-A .- Yes; I purchased this copy of the Province from Mr. Arthur Wheel-

er, the last witness. Mr. Cassidy put in the document referred to, marked exhibit A. The Witness-Exhibit A in the Coltart case (the document referred to) I purchased from Mr. Arthur Wheeler, the last witness, at the Province building on

December 16th. Q .- At the place referred to in the evidence? A .- Yes, in the Province build-Witness excused; without cross-examination.

Mr. Ditchburn, resumed: Mr. Cassidy-Q.-I produce to you copy of the Province of Saturday, December 11th. and show you an article beginning: "There is light at last." on page 908. Did you set that up? (Document handed to witness.) A .- I would have: I am the only one that runs the machine there. I don't know whether I set it up or not. I would not swear

Q.-You would not swear that you set tit up; but you said you must have done came there? No, sir. it? A.-I suppose so, because I was the only operator in the office that was gen-came there. But you remember for it and read it. erally employed on the machine; there some time back seeing him about the

Q.-Yes, you are the only operator generally employed on the machine. Who is the other operator? A .- His name is Shade Q.—Give me his first name? A

John A., I believe. Q.-Is he employed there now? A. Q.-What do you say with regard to him now? A.-He very rarely works

on the machine. O.—Is he a competent operator on the machine-Mr. Shade? A.-I am not in position to judge; the foreman is the

Mr. Martin objected that the inquiry was partaking more of the nature of an examination for discovery than of a preliminary hearing before a magistrate. Q .- Do you remember the issue of De cember 11th? Do you remember working for that issue? A.-No. I cannot say that I do. I cannot remember any particular dates. I do not set the head

Q.-Well, you set up the whole these articles; that is to say you set the whole article, not merely pieces of When they set an article by typesetters it is cut up in pieces? A .- Gen-

Q.—But with you, you get the whole article? A.—Yes. Q .- And when set by type-setters it is cut up in pieces? A .- I don't say that rule applies to the Province office. It generally in the printing offices.

don't know that it is the practice in the Q .- So that when you set up an article you get the whole sense of the ar-

Objected to as leading. Question al Q .- You have an opportunity then of observing the sense of what you are setting up? A.-No, not always. Q.-Do you mean when you get the

whole article? A.-I do. Q .- For what reason? A .- Because the running of the machine is so complicated that very often you have to get up from your keyboard and work around the machine some, and then you go back and operate again.

O.-Do you know who wrote the copy for that article? A .- I do not. Q.-Do you know Mr. Nichol's handwriting? A.-No, sir, I have never seen him write. Q.-Do you know who was ostensibly

the editor of the Province at that time? A.-I do not. Q.-Did you know whether there was an editor of the Province at that time? A .- I did not.

Q.-Did you ever see ---Mr. Martin objected that the witness was being cross-examined on every question. Mr. Cassidy contended that the witness had shown himself adverse. and that he (Mr. Cassidy) should be it was Mr. Nichol's. Province newspaper of December 11th allowed the right of cross-examination; to which Mr. Martin objected.

Mr. Cassidy-I asked him if he ever saw Mr. Nichol about the office there where he works. Court-He can answer the question.

.-Have you ever seen him in conwere setting up, any copy? A .- I have under your notice? A .- I could not say. A .- In that issue?

Q.-Referring to the period surround- to say two months before? A.-I would ing December 11th, previous to Decem- not swear how long it was. Q .- And you live where? A .- No. 4 ber 11th and that date, was the copy of A .- In different handwritings. Q.-I ask you was it mostly in

handwriting; what do you say to that? have a great many handwritings to re-A.-It was not. O.—The copy set by you about Dec. 11th was not mostly in one handwriting. Had you any idea in your own mind as to the persons to whom

different handwritings belonged. A .-No. I had not. Q.-Was it your custom in setting up copy-I put this question to you-did you ever at any time, in setting copy, find difficulty in reading it?

Mr. Martin-Imagine that question,

your worship! If he had a brother did he like cheese? Mr. Cassidy-Of course, this is in effect cross-examination. I admit it; think I am entitled to it.

A.-Yes sir. I have. cases for the true reading? A .- Generally to the foreman. Court-In such difficulty you referred to the foreman, you say? A.—Yes. Mr. Cassidy-Who was he? A. Mr.

Q .- Have you ever referred direct to the writer? A .- No. Q .- You have never referred direct to the writers. Do you know whether Mr. you have said, that the handwriting Cullin has ever done so. A .- I could

Q.-De you tell me, Mr. Ditchburn, that you never had talk, which is said not say that it did. It is pretty hard to to usually go on in newspaper offices, as to the difference in handwriting of the different people who write for the paper? The difficulty in reading some handwriting purporting to be Mr. of them, and so on? A.—Yes. I guess Nichol's? A.—Yes. of them, and so on? A .- Yes, I guess

Q .- You have. And in such talk have you ever referred to Mr. Nichol? A .-Q .- And his handwriting? A .- No.

sir. Q.-Whose handwriting do you talk about? A .- Generally the correspondence, communications that come the office; the letters. Q.-In point of fact you say you don't

know that Mr. Nichol writes for this paper? A .- I could not say. The deposition was here read over to the witness by the clerk. The Witness-I don't know to say I don't know the relationship

which existed between the two companies Mr. Cassidy-There is one question you say you don't know Mr. Nichol's seen him write. Have you ever seen not swear to it. writing which purported to be his? A .-

Q.-When? Plenty of it? A.-No. I cannot say that I have seen plenty of O-How long is it since Mr. Nichol first came about the building there? A .-That is something I would not like to

answer; I don't know. Q.-Several months? A.-I don't Q.-You don't remember when he first Q.—You don't remember when he first believe to be his handwriting and handled

saw handwriting purporting to be his? A .- I cannot remember. Q.-About how long ago? A.-I can-

Q.—Taking December 11th, how long previous to that about? A .- I cannot remember the dates. Q.-Well, would you say a month. more than a month? A .- No, I would

Q.-How much of this handwriting have you seen purporting to be his? A .- There was an article, about two columns. I think. Q.-An article about two columns; when was that? A .- Somewhere about

Christmas, I think. Q.—Did you see any of the same handwriting previous to that? A .- I would not swear to the same handwriting, no. Q.-Well, it looked like the same handwriting? A .- No, not always. The handwriting was very different. Q.—The same handwriting varies?

A.-Yes. Q.-Yes, quite so? A.-And a great many people write the same, too.

Q.—Well, this particular handwriting that we are talking about, that purported to be Mr. Nichol's, did that vary much? A.-Not in that what I understood was Mr Nichol's.

Q.—That which you understood was about Christmas week.

Q.-Christmas week. Do you say you never saw any of that handwriting prior to Christmas? A .- No, I would not writing? A .- Yes. swear-that is a very peculiar question to ask a man in my position, because writing is often so very much alike that you don't know who writes them. And urderstood to be Mr. Nichol's. Then, one man may write at one time with a again, there is sometimes a reprint copy, certain hand, and at another time he or extract, you understand, comes down.

Court—Q.—Some of the writing you

Q .- Yes. But you have told us al- understood to be Mr. Nichol's: the outrendy that with regard to Mr. Nichol's sider's you did not know; is that what handwriting there was not much varia- you said? A .- That would cover it, my tion? A .- Not much. Q .- So that does not apply to that

then. Now, you say at Christmas week the outsider's, you said something about you got some handwriting which pur- copied in, didn't you? A .- I said that ported to be Mr. Nichol's? A .- Yes sir. there were sometimes extracts. Q.-Was there anything particular brought to your attention which made casion with regard to the copy of the you know that that was Mr. Nichol's outsiders? A .- There may have been handwriting better than any other? A .- extracts in the paper that week. There was. The only reason I have for believing that was Mr. Nichol's Things," only, now. A .- In "Men and handwriting was that I believe his sig- Things,' nature was on the bottom of it. It was a Christmas story for the Province. Q.-It was a Christmas story for the handwriting do you say it was in? A .-

Province over his signature? A.-His initials I said. Q.-His initials. Then whatever you had before, you knew that hand-writing was Mr. Nichol's? A.—I judged that week? A.—Yes. I do not read the

Q .- From what you judged it was pose you really did not know in that way whether the handwriting was Mr. Nichol's or not? A .- No.

Q .- Now, carrying your mind back, times I do not. and having that handwriting of the Christmas story in view, when did that Q .- A month? Would it be too much Q .- Yes? A .- Well, I cannot say;

Q.-I don't want to pin you down to reading matter for the Province which any great length of time before. But it you set up mostly in one handwriting, would not be too much to say a month, or was it in different handwritings? at least, would it, Mr. Ditchburn? A .-Well, I don't know. I would not swear whether it would, or would not be. I

Q.—That is to say, you cannot fix the period, but you know you had seen that kind of handwriting before? A.-I did not say so.

Q.-What do you say? A .- I did not say that I had seen the same kind of handwriting before. Q.-Well, you told me just now, when I asked you how long previously to the Christmas story you had seen what you judged to be that handwriting, and you say you could not say how long before: and then I asked you if you would say

swear one way or the other; is that correct? A.-I say-possibly you can get it out of me this way-I might say that Q.-To whom do you refer in such I have seen handwriting similar to that: somewhat similar, but I could not say it was Mr. Nichol's. Q.-You have seen handwriting some-

a month, and you said you would not

what similar before that. Taking the somewhat similar handwriting, how long before? A .- Now, I will allow you a

O.-Now you will allow me a month Now, you do not want to retract what which purported to be Mr. Nichol's did not vary very much; not as much as handwritings often do? A.-No. I can remember now about copy.

Q.-When you use the words, "somewhat similar," you are referring to this Witness stands aside.

Charles Lawrence Cullen, being called and sworn, testified: Court-Q.-What is your name in full?

A.—Charles Lawrence Cullen. Q.—You are foreman of the Province Publishing Company? A .- Yes. Q .- And you live where? A .- No. 114 Superior street. Mr. Cassidy-Q.-You are employed as

a printer in the Province Publishing Company? A .- I am. Q.-You are foreman? A -Ves Q .- I produce to you this issue of the Province of December 11th last. You know that article commencing, "There is

about that word "difference"-I mean light at last," on page 908? A .- I have seen the article. Q.-You have seen the article: do you know who set it up? A .- I believe Mr. Ditchburn did. Q .- You believe Mr. Ditchburn did;

handwriting because you have never that is, the last witness? A.-I would Q .- You said in Mr. Coltart's case: "I know who set it up, it was Mr. Ditch-burn, the operator." You don't want to vary that, do you? A .- No. I say I believe Mr. Ditchburn set it up.

> dence in the Coltart case. You mean by that that you have no doubt that he set Objected to as cross-examination. Court-I think you have got quite

Q .- You don't want to vary your evi-

know Mr. Nichol's hend-

Q.—That is to say—I can put it this two or three times about the building. Q.—How long back is it since you first his handwriting? Is that what you mean? A.-What I have seen. Court-What is your full answer. Mr. Cullin? Mr. Cassidy asked you if you not state. I would not swear when it knew the handwriting of Mr. Nichol? A.-I have handled and read what was

said to be his handwriting; what I understood to be his handwriting, rather. Mr. Cassidy-Q.-That is, what is called "copy" in the office? A .- Yes. Q.—It is part of your duty as foreman to distribute copy to the different

persons who set it up? A .- Is it? Q .- I asked you if it is? A .- Yes. Q .- Now, referring to the article which I have just shown you, do you know if it was in the handwriting which was known as Mr. Nichol's in the office? A .- I beg your pardon?

Q.-Was that article in his handwriting? Mr. Martin-The witness did not say that he knew there was a writing there which was known in the office as Mr. Nichol's handwriting.

Court-Keep to the evidence. Q .- Referring to the copy of this article, was it in the handwriting which you understood to be Mr. Nichol's? A. cannot say that I saw that particular

O .- Now, this article is under the heading: "Men and Things?" A .- Yes. Q .- Now, referring to everything under the heading "Men and Things," do Mr. Nichol's did not vary much. When you know whose handwriting it was in did you first begin to see it? A .- I think that week? The copy of it, I mean? A .- There was more than one handwrit-

> Q.-There was more than one hand-Q.-Well, whose, for instance? A .-Well, I don't know who the other handwriting belonged to outside of what I

Mr. Cassidy-Q.-Now, with regard to

Q.-Do you refer to this particular oc-Q.-I am talking about "Men and

Q.-In "Men and Things." Now, the main body of "Men and Things," what The main body-well, I suppose, what I said before, in what I understood to he Mr. Nichol's handwriting.

copy at all. Mr. Martin-You did not read that Mr. Nichol's. Prior to that time I sup- particular copy at that particular time? A .- No; it is not my business to read the copy; I have not got any time for it. Sometimes I glance over it, and some-

Mr. Martin-Q .- Could you say that even any word in that particular issue nection with any articles which you sort of handwriting first begin to come was written by any particular person?