

ties differ. At any rate, nothing was done by Mr. Hinds in any way to indicate his intention of excluding Mr. Cook, and it is hard to resist the inference that Mr. Hinds was careful to avoid anything which would waken Mr. Cook from his fancied security. Cook waited in New York to be advised of the result of the negotiations in regard to the contract.

Immediately after the contract had been secured by Messrs. Deeks and Hinds in their own names, Mr. G. S. Deeks sent the wire of March 13th to Mr. Cook, asking him to come to Toronto to meet him in relation to the affairs of the construction company. On the following day Mr. Hinds sent a similar invitation. Accordingly, Mr. Cook came to Toronto for the purpose of meeting them. Mr. Hinds called upon him at his hotel and advised him that the contract was being taken by Messrs. Deeks and Hinds and that he was to be excluded. In Mr. Cook's letter of March 16th, he expresses his astonishment at the situation, and it is characteristic that even in that letter he claims credit to himself for the prosperity of the company owing to his action as General Manager. In reply to this, Mr. Deeks points out that there is no attempt to exclude him from the company, but that the intention of Mr. Hinds and himself is to carry on business separate and apart from the company. Some negotiations took place looking to an amicable adjustment of the matter, with no result.

Thereafter the Dominion Construction Company was incorporated, it consisting of the Messrs. Deeks and Hinds and their associates. The formal contract was entered into between the Dominion Construction Co. and the Canadian Pacific Railway, and the business was actively undertaken by that company.

Contemporaneously, a meeting of the Toronto company was called for the purpose of arranging for the voluntary winding up of its affairs, but nothing was done, owing to Mr. Cook's protest and threatened litigation.

As the affairs of the company were wound up, its employees were in many instances re-engaged by the Dominion Construction Company. Some of them found employment with Mr. Cook, who had secured another contract which he was carrying out as an undertaking of his own. The plant of the Construction Company was sold to the new company