

APPENDIX No. 2.

Q. I want to know if there were any instructions from the department here or from Mr. Pottinger to accept other ties than those contained in the contract?—No answer.

By Mr. Emmerson :

Q. Mr. McManus has stated he inspected Ultican's ties in August 1900. I want to know whether that inspection would be under the authority of that letter.

Q. What is the nature of the ties furnished by reason of that letter in accordance with that?—A. No doubt ties that would be delivered under that letter, the probability is that these would be the ties he inspected.

Q. Well then, that letter authorises Ultican to furnish spruce ties as McManus states. He was authorized to take Ultican's ties, spruce ties, without regard to whether it was black or red. And that he drew the distinction, and said that Mr. Culligan had no such letter, and therefore he didn't feel justified in inspecting Culligan's ties by reason of the fact that he, Culligan, had no such letter, as that.

By Mr. Barker :

Q. It was Culligan's ties he got the letter for?—No. answer.

By Mr. Emmerson :

Q. He got the letter from Hon. Mr. Blair, but this letter?—No answer.

By Mr. Barker :

Q. That is the contract letter?—No answer.

By Mr. Emmerson :

Q. Precisely. Mr. Pottinger, that authorized McManus as inspector, to accept spruce ties did it not?—A. Yes.

Q. Without regard to or discriminating as to whether they were black or white spruce?—A. There is nothing about black or white spruce in that letter.

Q. That is spruce generally? And did you hear McManus state that he accepted Ultican's ties by virtue of that letter as spruce ties, whether white or black, but that he could not accept Culligan's ties because he had no such letter and he so told Culligan, and then Culligan went to Mr. Blair or Mr. Pottinger?—No answer.

By Mr. Haggart :

Q. Did you get an acceptance of that letter?—A. I do not know.

Q. That is no instruction to the inspector or anyone, it is simply a letter to Mr. Ultican proposing a modification of the contract if he accepts it?—No answer.

Mr. EMMERSON.—That is no modification of any contract.

Mr. BLAIR.—That is what Mr. Pottinger has already stated.

By Mr. Haggart :

Q. Read the letter again?—A. Read.

‘ OFFICE OF THE GENERAL MANAGER,

‘ MONCTON, N.B., May 25, 1900.

‘ At Ottawa.

‘ PATRICK ULTICAN, Esq.,

‘ Armstrong's Brook, N.B.

‘ DEAR SIR,—I have your letter dated May 19, with reference to ties, and we can give you 20 cents for what cedar and spruce ties you can deliver during the summer