

Q. On what occasion?—Well, I do not know what occasion; one of the days he was there.

Q. What did he tell you about the letter?—He told me that he was going to withdraw his tender.

Q. What more did he tell you?—He told me that he thought that there was no use; that Mackintosh's tender was accepted and he was only losing his time in Ottawa, and I advised him to do the same, and I passed the remark to him that there were other tenders, and that I thought in my opinion that he was only losing time; I do not remember if this was before the letter was sent in; I should say that would be the day he sent in withdrawing his tender.

Q. Had you any conversation with him after he had sent it in?—Not that I remember of.

Q. Did you know from him by whom he had sent it?—I think he said he gave it to Mr. Cotton to hand in as he passed up to his boarding-house.

Q. At what time?—I should say that was the day he wrote his withdrawal; I was in the house at the time he wrote the withdrawal; I did not know it until after he had written it.

Q. You saw it after he had written it, and before he delivered it to Cotton?—I think he read it to me; I do not think Cotton was present then; I do not remember of any person else being present; I do not think there was.

Q. Why did he read the letter to you?—Simply because he wished to let me know he was going to withdraw it; he said nothing more that I remember of; Cotton was not there at that time; Mr. Cotton may have been in the house; I do not really remember whether he was or not.

Q. You do remember that some time he told you that he had given the letter to Mr. Cotton to hand in?—Yes.

Q. Was that the same interview at which he read the paper?—I think so.

Q. Did he say he had given it, or was going to give it to Cotton?—He said he was going to give it to Cotton to hand in; I could not say if Cotton was in the house; he might have been, and he might not have been.

Q. How long a time elapsed between the time he told you he was going to give the letter to Cotton and Cotton coming back to you in the shop on the occasion you spoke of? Was it the same day?—It might be the same day, and it might be the next day; in fact, I do not really remember whether it was the next day or that day, or what day it was.

Q. Was this letter, according to what he told you, going to be delivered to Hartney or to MacLean, Roger & Co.?—I understood it was to be handed in to Mr. Hartney.

Q. Had you more than one interview with Mr. Charlton, which you have spoken of, at O'Meara's?—Not that I remember of.

Q. And you cannot tell us now how long a time elapsed between that interview between you and Charlton at O'Meara's and between you and Cotton in your shop?—This might have been on the same day, and might not have been; I cannot remember how that was.

Q. What was the money represented by these two notes given you for.

*McCarthy, Q.C.*, objects.

*Bethune, Q.C.*—(Reads from libel) "We are not in a position to say that the money was really paid to Mr. Boyle, but we are informed on excellent authority it was put where it would benefit him," etc. I submit it is evidence on that point. I submit also we can prove it in the way of mitigation of damages. I tender it with a view to mitigation of damages.

*McCarthy, Q.C.*—I submit we have nothing to do at all with these transactions; it is not pertinent to the issue, and ought not to be given in evidence.

*Osler, J.*—I see no legal evidence which connects Boyle with this witness; I reject it.

Q. What did you do with the money?—What money, sir.

Q. The money that you got from MacLean, Roger & Co.?—I got no money from them.