

Another cause of trouble arose in connection with the Livingston contract. The earnings in respect of this contract, in which all were interested, were considerable, but they were all retained by Mr. Cook; so, in August, 1909, when Cook was suggesting to Deeks and Hinds joining in the Teeton work, Deeks replied by wire, curtly, "Will participate in no more western work," and Hinds wired, "Prefer to have books here fixed up before assuming any new work." This referred to the books in connection with the western work, which had been taken to Ontario by Cook's bookkeeper.

This firm stand brought Cook to Toronto, and an adjustment was then made by which Cook submitted to have charged against his dividend in the Toronto Construction Company, the sum of about \$100,000, which represented his liability to his co-partners for moneys drawn by him on the Livingston contract, according to a statement he then presented.

When the work in hand was drawing to a close in 1911, Mr. G. S. Deeks, whom for convenience I shall hereafter refer to as "Mr. Deeks," and Mr. Hinds, looked about for further work. As already stated, they had made up their minds to exclude Mr. Cook from participation in this, but they had not communicated this fact to him. Mr. G. M. Deeks took no active part in the matter, merely falling in with the views of his cousin and Mr. Hinds. The work done in Ontario had been exceedingly satisfactory to the Canadian Pacific Railway. That company apparently entertained a high opinion of the executive ability of Messrs. Deeks and Hinds. Their financial standing admitted of no question. For some time negotiations had been going on in a general way looking to the arrangement of a new contract for the Shore Line. This it was thought might be arranged without competition or calling for tenders. Mr. Deeks and Mr. Hinds told the C. P. R. officials that in any work thereafter to be taken Cook would have no part.

The result of all these preliminary negotiations was that in the middle of March, 1912, an agreement was arrived at between Mr. Deeks and Mr. Hinds on the one part and the railway on the other part. While these negotiations were on foot and in a critical position, Mr. Cook and Mr. Hinds met in New York. The accounts given by the par-