

APPENDIX No. 3

Q. You have no faith in your judgment. If Bowlby came and said she was only 12 would you accept his opinion instead of your own?—A. Since he has had that mare right straight along his memory should be better than mine.

Q. So that is what you have to rest upon?—A. I would not say "rest upon".

Q. Not only would you accept his evidence, but if he were to come here and swear that she was 12 years of age you say you would believe him?—A. Might I ask you a question, you have been questioning me very severely. Have you a sworn affidavit from Mr. Bowlby to that effect?

Q. No, sir.—A. You cannot get it. If you can get a sworn affidavit from Mr. Bowlby and bring it here I will abide by what he says.

Q. What I would have thought was this: If you have any faith in your own recollection and judgment you would say, "even if Bowlby and five others came here and swore she was twelve years of age, they were mistaken and you were right."—A. I have reasons for my opinion if you would like me to give them.

By Hon. Mr. Reid:

Q. Were you at Berwick when these horses were purchased?—A. Yes, sir.

Mr. MCKENZIE: Which horses do you mean?

Hon. Mr. REID: The horses at Berwick.

The WITNESS: You mean the day the horses were bought.

By Hon. Mr. Reid:

Q. You were there that day?—A. Yes.

Q. How many were offered for sale?—A. Oh I would suppose likely round a couple of hundred. Something like that. There were a lot of horses.

Q. One of the witnesses here, I think it was Mr. Chipman, said 60 or 70.—A. I think you will find one of the other witnesses says 200. It is hard to enumerate the number of horses, going and coming all the time as they were.

Q. How many were sold that day?—A. How many were sold?

Q. Yes.—A. At the time I was getting my pay I asked something to that effect

Q. Well, how many were there?—A. I understood Mr. McKay to say that he had bought around 60.

Q. At Berwick that day?—A. Yes. I may have been mistaken, but that is what I understood him to say.

By Mr. McKenzie:

Q. That is up to the time you sold yours?—A. Well, mine was about the last.

By Hon. Mr. Reid:

Q. Did he tell you what he paid each party for the horses?—A. No, sir.

Q. Did you find out from any person what was paid for each horse?—A. For each horse?

Q. Yes.—A. No.

Q. You do not know?—A. No, not for each horse.

Q. Or for any horse?—A. Nothing further than what they told me, and what Mr. McKay, if that was the gentleman's name, told me when I wanted to figure the price for mine.

Q. What I want to find out from you is if in any way you ascertained that day what was the total amount paid for the number of horses bought?—A. No, sir.

Q. Do you know now?—A. Further than what I heard said here. I don't remember what he said.

Q. There was no evidence as to the amount paid for the horses.—A. Was there not? I don't remember.

Q. Do you know the different persons from whom the horses were purchased at Berwick?—A. Do I know them?

Mr. S. SELFRIDGE.