

versation and did not follow it? A. I think I must have been there during the last part of the conversation only. I do not remember what was said.

Q. You took no notice of it? A. I might have at the time, but I know that after they went away Mr. RUSSELL explained to me the adjustment that had been made.

Q. What took place on that? A. Upon that he told me to prepare the description to be inserted in the memorandum to Council.

Q. Did you do so? A. I did so.

Q. And the report went to Council? A. I consulted Mr. Russell about the description at the time as I had to take from the plan of record in the Department. I had to get the plan of record in the Department in order to ascertain about what section posts one of the boundary lines would come at, in order that anybody who made a survey of the berth would have no difficulty in doing so.

Q. As a matter of fact, who prepared the description?

A. I prepared the description and then explained to Mr. Russell what I had done.

Q. Then Mr. Russell instructed you what settlement had been arrived at? A. Yes.

Q. You prepared a description and showed it to Mr. Russell?

A. Yes.

Q. Did you draw up the memorandum to Council? A. Yes.

(By Hon. M. Chapleau; p. 76.)

Q. When you saw Mr. Rykert and Mr. McCarthy together with Mr. Lindsay Russell, had they a map before them? A. Yes. they had a sketch.

Q. Were they talking about that sketch with the Deputy Minister? A. Yes, they were sitting on a sofa at the time and Mr. Russell was sitting between the two, and he had the sketch in his hands and I came in either by accident or he rang my bell and Mr. RUSSELL said they were arranging this matter and making an adjustment.

Q. There was a sketch in his hands and you say you did not hear any special conversation. You state also it was at the end of the interview. Did you understand by what you saw, by the little you heard, that it had been agreed to accept the sketch as finally arranged between Mr. Russell and them?

A. Mr. Russell told me that there

was to be no conflict between the applications, that Adams was to give up the southern portion of his berth and Shortreed & Laidlaw's application was to be moved down so that they would not conflict one with the other.

Q. You did not hear anything to that effect when the three were together? A. I do not remember them saying anything about that. They were talking together when I went in.

Q. Were they talking as people who differed or as a people who agreed? A. They agreed, certainly.

Q. You understand by what passed in your presence they then and there agreed, and immediately afterwards Mr. RUSSELL said this is arranged. A. Yes.

Q. Are you positive about that fact? A. I am positive, yes.

Q. You are positive the three had agreed, and immediately afterwards Mr. Russell said, this is adjusted? A. Yes.

Q. And the report was prepared and sent to Council? A. Yes.

WHERE IS THE CONFLICT.

And yet in the face of this evidence you have the audacity to report that there was a strong conflict of evidence as to the date at which the agreement between Mr. McCarthy and myself was made, but that you were obliged to arrive at the conclusion that it was made after 10th of April. You display your great impartiality as a judge do you not, in this conclusion? If a jury were to give a similar verdict on the same statement of facts, you would say, they had perjured themselves. This is a fair sample of the malice and spleen which you exhibited towards me throughout the trial, and shows clearly that you would resort to the most contemptible of means to crush a political opponent. But the most surprising thing of all is the humiliating position in which the Minister of Justice placed himself by permitting you to pass a report which he knew was not founded upon the evidence, and which is in direct conflict with the verdict which he had before pronounced upon the same statement of facts. The reason for the change will be apparent when the clauses seven of your first and compromise reports are fully examined. In the former you charge the Department with wrong doing and that the conduct of its officers