

Q. Who prepared that memorandum?—A. I did.

Q. Has it been your work always to prepare these orders in council or the memorandum for them?—A. Not the whole of them, different officers of the department prepare them.

Q. Has it been part of your business to prepare any of them?—A. I have prepared a number, yes.

Q. Who gave you the information on which you prepared that one?—A. It was taken from the departmental file.

Q. Who asked you to prepare the report for council?—A. I have no doubt the deputy minister did—I see his memorandum here.

Q. Now we will read that with Colonel Anderson's report in the printed evidence at page 38. Now, it was the deputy minister, there is no question in your mind about that, who gave you that instruction?—A. Well, he either gave it to me or sent it to me, there is a memo. on Colonel Anderson's report to prepare the report to council.

*By Mr. Kyte:*

Q. What is that document that you have there called technically?—A. The order in council.

*By Mr. Bennett (Simcoe):*

Q. And what you prepared your memo. from was Col. Anderson's report, was it?—A. Yes, and from information on the file.

Q. Would it not be in the main from Colonel Anderson's report?—A. In the main it was, yes.

Now, you read Colonel Anderson's report before you made the report?—A. Yes, sir.

Q. Did you see this in Colonel Anderson's report, 'I question whether any such contract as this is desirable for Midland bay,' you saw that, did you?—A. Yes, sir.

Q. (Reads): 'Any vessels arriving at those ports late with grain cargoes come from Lake Superior, and the ice conditions in Lake Superior are so much more unfavourable than they are in Midland bay that I cannot think that circumstances would make navigation impossible at Midland when it is at all possible at the head of Lake Superior.' Now was that not plain language?—A. Yes.

Q. That there was no necessity for any such contract at Midland if the boats were coming from Fort William?—A. Yes, that is Col. Anderson's report.

Q. (Reads): 'Another consideration is that there does not appear to be any rush of freight this autumn, and I doubt if freight cargoes will be shipped from Georgian Bay ports as late in the season as last year.' You saw that?—A. Yes.

Q. Now with all that in the report before you how was it that you made this order in council, or prepared this report recommending it?—A. That was on instructions from the department; I was instructed to do that.

Q. Who is the department? Let us get at that? The deputy minister?—A. Yes, the deputy minister's memo. is there.

Q. Were his instructions written or verbal?—A. They are written. 'Prepare report to council. A. J.'

Q. So you see that your report to Council was diametrically opposed to the report of the engineer; is not that right?—A. Well, yes, to that part of the report.

Q. Now, is it usual in your work of preparing reports to see many orders in council diametrically opposite to the report of the officer in charge of the work? Is that a common procedure in the department?—A. No, it is not a common procedure.

Q. Did it not strike you at the time as an extraordinary thing that the officer in charge had reported that a certain thing should not be done and then that the department would go on and do it? Were you impressed with that fact at the time?—A. Yes.