

Cross examined.—Consent to sale was given some time previous to sale in August; inside of a month. Sale on 12th August. I won't swear consent not given in month of August; consent verbal by W. H. Smith in Halifax. He left some time after giving the consent; can't say when. (Mr. Rigby objects to any evidence going to establish fraud in bill of sale, same not having been pleaded.) Father went by rail; night train. Can't give the time previous to sale. Won't swear father did not leave day before sale. Consent given in presence of Wm. H. Smith, my mother and myself. He said he was satisfied the property should be sold, and I should be paid the amount due me; don't recollect room where consent given. I had heard before consent of the writ of summons being issued. I think my father mentioned he had received a letter relative to this claim of Morrison's. I had been living at home always; heard of letter some time previous to the issue of writ. He said he had received a letter from Thompson & Graham, concerning a claim against him of Morrison; this was the first I had heard of claim. Went to Morrison in relation to claim; may have gone twice; saw Morrison; I proposed that if Morrison would wait for a certain time, a certain amount would be paid him; don't think I went to Morrison before father's receipt of letter; I may have done so; can't state date. I went to Morrison. Morrison said he would not receive less than the whole amount; that the assignment to me was not valid. I am 26 years of age; not a baker by trade. I have been admitted to the bar, and am practising. I have paid my board equivalent to cash to 11th Sept., 1880, from time I was one year old. No particular amount mentioned. My mother and sisters still living at old stand; my father is in Halifax. He was absent about five weeks. He is living at home, carrying on business of a baker. I did not carry on baking business during my father's absence; carry on business in his own name. No definite adjustment of the amount on my board. Keep cash book in my business. Can't state my income for any one year, during last five years. Have rendered services at home and practising law. Before I was admitted I was rendering services—collecting for parties while in Coombes & Thompson's office and earning remuneration from time I was 21 to my admittance. I can't say how much I received for my services, am safe in saying \$25 for one year. I was in Wm. Foster's office; had notice in paper 2nd year. Had office home till last 18 months; had desk in Tremaine's office. I paid no rent for my office home; it was in my bedroom. Did not advertise; no sign-board. House, corner Agricola and Charles Streets. My office at home is about two miles from Court House. Had never been robed in Supreme Court or County Court; never had any contested suit in Supreme or County Court. Præcipe book contains memo. of all my fees received. My business did not require an elaborate sett of books. I did some business on credit; did not enter it; it was small. All my income as a lawyer does not appear in the præcipe and cash book. I was managing and looking after my father's business while I was practising. I was carrying on business not on my own name; looked after the business generally. I made purchases for the business—flour, &c. I kept my father's books; he had no book keeper but me. I have attended shop, and sold bread. Bread bills and accounts made up every night. I divided my time between baker's shop and office; checked delivery of bread every night; looked after delivery and purcelling of flour. Average of flour received, 6 or 7 barrels per day. When he went away he was baking up four barrels per day. No agreement as to my salary. My work, while I was studying, was an equivalent for my board. Recollect when bill of sale executed; can't say day of week when executed; I wrote bill of sale. I told my father we ought to have a settlement. I filed bill of sale away in a drawer after its execution; date written in at time of execution; filed on the day it was executed. The rest of the family knew about bill of sale. Goods not appraised at time of execution. All property, my father's property remained on premises after execution of bill of sale. I consented father should have the use of them. Father had the same property in '80 as he had in '79; horse and mare; all he had in '79. Had express and bread waggon; had harness in '79 and '80; sett harness not in bill of sale, nor four collars. I prepared schedule; my father made out list of articles for me. Goods