

position to that of the officers of the department and myself, and charge me with deceitfulness.

THE EVIDENCE ITSELF.

In support of my statement and the report of Mr. Russell I will quote the evidence of Mr. Burgess :

(By Sir John Thompson. Page 60.)

Q. Were you at the time informed of the nature of the adjustment that was made to prevent interference? A. Yes.

Q. How soon after the interview did you know? A. I could not say. I was aware of the interview, and I was aware that there was at the time a memorandum prepared for council.

Q. You mean the report that was made for the Order in Council? A. Yes.

Q. Do you know anything of the correctness of the dates stated here; the date for instance on which that negotiation could have taken place as compared with the Order in Council granting Mr. Adams' application? A. I do not know anything personally as to dates, but I know that communication was made to me by Mr. RUSSELL before the ADAMS' memorandum went to Council. He informed me before that memorandum went to Council that an adjustment had been made.

Q. This adjustment? A. Yes.

Q. He informed you of that before the Adams' application went to Council? A. Yes.

(By Mr. Blake :)

Q. When did the ADAMS memorandum go to Council? A. On the 10th April, 1882.

(By Mr. Rykert) Page 68 :

Q. Your recollection is clear upon the appointment, and Mr. McCarthy making the settlement with me before the 10th April?

A. My recollection is clear that Mr. Russell told me so.

Q. Did you see Mr. McCarthy and me in your office at any time? A. Oh, yes.

Q. You saw us how often? A. I could not say.

Q. More than once? A. Yes.

Q. You saw Mr. McCarthy and me more than once? A. Yes, I think I have a recollection of seeing you twice. That is my recollection at this moment.

Q. A letter of mine to Mr. Russell speaks of the fact. I was there twice with McCarthy. You recollect the fact that I was there twice with him? A. That is my recollection. Of course it is a long time ago. It may have been more than twice.

I will quote Mr. Ryley's evidence.

(By Sir John Thompson. Page 74.)

Q. Can you remember the time at which you were aware of the conflict; how did you become aware of it? A. I know there was a conflict and that Mr. Rykert and Mr. McCarthy came to see Mr. Russell about it.

Q. That would be a good many months after that. What was the first communication you had with Mr. Russell on the subject?

A. I cannot remember that. I expect I must have reported to him that the applications conflicted. I must have told him that.

Q. Soon after the date of that memorandum? A. Between that date and the date that Mr. McCarthy and Mr. Rykert came to see him about it.

Q. About what time would that be? A. It must have been before the 10th April, 1882.

Q. By that time had you plotted anything showing the interference? Had you plotted the two applications showing how they interfered? A. Yes.

Q. Was that plotting before Mr. Russell? A. When I went into the room where Mr. McCarthy and Mr. Rykert and Mr. Russell were together, Mr. Russell had a sketch in his hand showing the interference.

Q. Mr. Rykert and Mr. McCarthy were there then? A. Yes.

Q. Can you fix that date? A. I cannot. It was before the 10th April, 1881.

Q. Long before? A. I cannot remember that. I know it must have been before that date.

Q. What assists you in arriving at that conviction? A. The date of the memorandum to Council.

Q. It was drawn up after that? A. After the interview which Mr. McCarthy and Mr. Rykert had with Mr. Lindsay Russell.

Q. You say it was drawn up at that interview? A. No, after.

Q. Were you present at the interview? A. I remember distinctly being there, and Mr. McCarthy and Mr. Rykert left, Mr. Lindsay Russell explained to me the adjustment that had been agreed upon.

Q. Tell us what took place while you were present. A. They were sitting together and I was standing up at the time. They were talking to each other and when they went out Mr. RUSSELL showed me exactly how the adjustment would be made.

Q. Do I understand from that that you did not pay attention to the con-