

Sequel Of The Bridge

Continues in Serial Form With Prospects of Indefinite Length.

Cox vs Macdonell Interests a Large Number of the Public.

Magistrates Pearson and McKicking again took the bench last evening in the case of Cox v. Macdonell, and as at previous sittings, the proceedings were marked by lively tilts between the opposing counsel. Many bitter remarks were made and the magistrates evidently welcomed the hour of adjournment, as a hope was expressed by one of them that they could have a little better temper for the next session.

A large and interested audience gathered to hear the trial, and the great proportion of lawyers was again noticeable. Once or twice the clerk of the court had to enforce the rule of order when a particularly biting expression was heard. The most intense interest was displayed in the evidence when progress with taking it was allowed between the rounds of legal cross-examination.

When the court came to order, the magistrates announced that they had reached a decision in the matter of the letter referred to their charge, and which Mr. Duff claimed the right to use in cross-examination. They decided that the document was not a piece of evidence, and as the witness had used it for comparison, so could the defence. Mr. Duff took up the questioning of Mr. Cox again.

The document produced was written within the past two or three months by his daughter at his dictation. Mr. Mills had not seen the document. Respecting the letter which he did not identify at the former session, witness said he would bring his daughter to prove that the letter had not been written by him or by his daughter for him. He again denied emphatically any knowledge of the letter. Mr. Duff appealed to the court to caution the witness to look carefully at the letter before answering his question, as he did not wish to make any unwarranted assumptions.

The witness then said that he swore positively that his daughter Mary Ann, who usually wrote his letters, had not written the letter in question, and that he had sworn that he bore three beams in Hatley's yard.

After the witness had been questioned repeatedly, Mr. Duff asked the witness to say if he had received a registered letter from Mr. Macdonell in May, June or July, 1897. Mr. Duff asked the witness to say if he had received a registered letter from Mr. Macdonell in May, June or July, 1897. Mr. Duff asked the witness to say if he had received a registered letter from Mr. Macdonell in May, June or July, 1897.

Mr. Duff then asked if the witness did not know that the case against the city had depended on the evidence that he had sworn the beam that broke; also that he had sworn that he bore three beams in Hatley's yard.

Mr. Duff read from the court report, quoting witness' evidence, asking if he had not testified to that effect, which witness acknowledged. Mr. Duff then read from Hatley's evidence to the same purport, that Hatley had left to put some planks while witness went on to bore the beams alone.

Witness, further questioning, said he did not recall anything of having discussed the evidence he gave. Mr. Mills arose to object to Mr. Duff's style of cross-examination, saying that he had a lot of money and a good lawyer. "Like yourself, he forgets himself sometimes," said the magistrate.

Witness then said he had written to Mr. Macdonell regarding the matter. Mr. Duff asked for the copy of the letter, which Mr. Mills said he had put in court. He questioned on the contents of the letter, and made some effort to get a copy of the first letter dated 4th March. Witness said he had written to Macdonell before going to Mills. He acknowledged instructing Mr. Mills to write asking if he had received money for him. He did not consider Macdonell personally liable, but looked to him to collect any pay over the amount.

He was surprised to think of having signed the receipt for \$240 in pencil. He thought he had signed in ink. It had never occurred to him to say to Mr. Macdonell that he had not paid the \$240. The real object of these proceedings was to collect the money.

Mr. Mills objected to the question, but the court did not see it in the same light. Continuing, witness said he had placed the whole matter in Mr. Mills' hands to collect the money, by the proper procedure. Mr. Mills then referred to the information and he (witness) had sworn to it. Mr. Mills had taken these proceedings to collect the debt.

Referring back to the boring of the beams on Point Ellice bridge, witness said he had in 1892 bored all the beams that he could find, and found them all thoroughly rotten bridges. At the Lang and Patterson trials he had made a statement to that effect.

He had not a very good memory, but could not undertake to recall statements made a year and a half ago. He discussed the evidence with Mr. Macdonell, but he did not tell him that he had bored the bridge and found it rotten. He had told Macdonell that he would tell the truth, which witness described as an interview, and that he told him he knew all about the bridge. He had told him that Hatley, his assistant, bored the beams.

Replying to Mr. Duff: Witness assisted in the boring. He held the scaffold. He was not expected to personally bore the beams. Hatley bored them with a two-inch auger. It was under witness' instructions. He did not bore them himself, but he took charge of the borings, numbered each beam and wrapped up the borings in paper numbered to correspond.

Mr. Mills—"Surely they do not mean to destroy the evidence of the witness who built up their case and made such a lot of money for Mr. Macdonell?" Mr. Duff—"You will have no room for doubt about our meaning in a moment."

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Proceeding to the signature of the \$240 receipt, witness said he had been alone in a room at witness' house with Macdonell when he signed it. The latter had come to the house to see him, and witness had seen him sign the receipt. "Like yourself, he forgets himself sometimes," said the magistrate.

suit from Macdonell, and the letter which accompanied the \$100 was to that effect. He received \$40 to give Hatley before the Patterson case. The \$25, and the \$50 were all paid after the Patterson trial and before the Lang trial. Mr. Mills then wished to read a document to which Mr. Duff objected. He said the witness should read it, but the latter could not. Mr. Duff said Mr. Mills wanted to suggest a meeting held in Vancouver, which was the receipt signed by Cox. Witness said he had remained in the country as the document stated. Mr. Mills then asked witness said he had not received any money from Macdonell.

Answering Mr. Mills, witness said that these proceedings were not taken to collect money, but to punish Mr. Macdonell for wrongdoing. He understood that he could not accept money from Macdonell now.

J. M. Bradburn, city solicitor, the next witness, was questioned as to whether his firm had received a letter from Mr. Macdonell in October last, in Lang v. Macdonell. "What has this to do with the case?" asked Mr. Duff.

"I will show you," said Mr. Mills, "I intend to show fraudulent intent on the beginning." Mr. Duff then proceeded to state the case of Lang v. Macdonell, in which Mr. Lang entered action to set aside her settlement with Mr. Macdonell, and to have his bills taxed. The case had been settled once and then a second case had been brought by Mr. Mills, and these actions had nothing to do with this case.

Mr. Mills quoted authorities to show that he was within his rights in bringing the evidence before the court. He said he intended to show that there had been concealment in other matters relating to Mrs. Lang, and he made very severe remarks about Mr. Macdonell's character and actions.

Mr. Duff said that the statements of Mr. Mills were absolutely without foundation and the charge of calumny and vexatiousness.

Mr. Mills then proceeded to read the authorities, and what he wanted to show that the legal question was referred to the Deputy Attorney-General.

The court said they were not being misled, and that what was in issue was the case when they reached the end. Mr. Mills said he purposed proving that in the Lang case and others, in fact all of the cases, the government had been fraudulent dealing with the principals.

The magistrates asked Mr. Mills to confine himself to quoting authorities, and after he had put them all in, they said they would consider them. Mr. Duff claimed the right to put in authorities, and as the hour was past 11 o'clock, the court ordered an adjournment till this evening at 8 o'clock.

Sealing Fleet Nearly All In Five Schooners Yet to Come—Others Going to Copper Islands.

The schooner E. B. Martin arrived yesterday from her coast cruise with 230 seals and three boats damaged by the recent gale. Now but five more of the coast fleet are left to be sent to the coast. The schooner E. B. Martin arrived yesterday from her coast cruise with 230 seals and three boats damaged by the recent gale.

INDIANS AROUSED. Minnesota Red Men Not Pleased With Government Treatment.

Are Not Strained

Report That German and Russian Relations in China Are Bad Denied.

Chinese Will Ask Powers to Obtain Loan to Settle Indemnity.

London, May 7.—The rumors that the relations between Germany and Russia are strained on account of slights on the part of Count von Waldersee, are it is admitted in Downing Street that the majority of the powers are considerably irritated by the Field Marshal's numerous expressions of disapproval. He is believed to be authorized to state that if the British diplomats had any reason to believe the rumors of strained relations between Germany and Russia, it would cause them no little satisfaction, and they would not take the trouble to discredit them.

Ordered Down Canada's Flag

Mr. Kalbach Calls Attention in the House to Trouble at Bahia.

Ottawa, May 8.—In the Commons today, Mr. Kalbach drew attention to the case of the ship Canada, commanded by Capt. Conrod, Last March this ship entered Bahia, Brazil, flying the Canadian ensign, when the British consul boarded the vessel and ordered the ensign down, threatening to impose a penalty of \$500 if it was not done.

MR. KENNEDY IS ARRESTED

Trouble Over the Possession of the New Westminster Columbian.

New Cars Go to Vancouver Cannot be Put on Esquimalt Route So Put to Another Use.

SHIPPING BUILDING COMBINE. Huge Ontario State Company With Sixty-Five Million Dollars Capital.

RIVAL UNIVERSITY ATHLETES. Oxford-Cambridge Team Visit Not Yet Settled.

ORIENTAL COMMISSION. Mr. H. Bell-Irving's Evidence Taken Up Most of the Day.

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DEATH OF MR. JUSTICE KING. Passing Away of One of Canada's Best Known and Respected Judges.