

MR. BLAKE. But was it true?

WITNESS. No.

MR. BLAKE. Then you should not lie in defence.

WITNESS. I considered that, as Mr. Sanderson was my partner, he was acting with me.

MR. BLAKE. Did you consider that whatever Mr. Sanderson did, you did?

WITNESS. I supposed that using Mr. Sanderson's name there did not affect anything.

MR. BLAKE. But you knew the affidavit was untrue in that particular?

WITNESS. I do not know whether it was untrue or not.

MR. BLAKE. Is the other statement in the affidavit true, that Mr. Nelson informed Mr. Sanderson in your presence that he had endeavoured to get a discount in the Quebec Bank, but failed?

WITNESS. No.

MR. BLAKE. Is it true, as stated in the affidavit, that he said in Sanderson's presence, that if you both could get a warehouse receipt for the cargo in Tinning's Yard, that would enable him to get the note discounted?

WITNESS. It is untrue.

MR. BLAKE. You still thought that what you did, Sanderson did?

WITNESS. He always used to leave everything in my hands.

MR. BLAKE. But you thought that what you did, Sanderson did—was that the idea under which you made this sworn statement?

WITNESS. If I thought it was going to have affected the case, I would have objected to the statement being made out that way.

MR. BLAKE. But as you thought it would benefit the case, you did not object to it?

WITNESS. The result will show whether I will benefit by it or not.

MR. BLAKE. I dare say.

To MR. BLAKE. I asked no questions on the return of the three bills, giving me the three cargoes free. I gave him my note for the first cargo and got it. I got the three other cargoes—the total price of which was 3,257 dollars 80 cents. Then there were freights, 325 dollars, or 3,572 dollars 80 cents. The cargo of the first vessel reached 1,348 dollars, or total of 4,920 dollars 80 cents. On the other side is the 1,348 dollars for the first cargo, and bill at Quebec Bank 1,700 dollars making a total of 3,048 dollars, which sum deducted from the amount due Mr. Nelson, according to this statement, leaves a balance of 1,872 dollars 80 cents in his favour. I did not give him any bill or note for any of the three cargoes; I was anxious to get the three cargoes free and get control of them; Nelson said he could get them free if I got him the warehouse receipt; I got it, and he gave me the bills of lading free; that evening, after the matter was finished, Nelson, Sanderson, and I met, but could not agree; next morning we came to a new agreement; during the discussion, on the previous day, we talked over the freeing of the three cargoes, and no doubt talked of the measures by which they had been freed; there was a long conversation; I presume Mr. Nelson told us the cargoes were freed, and that, at that time, I must have told Sanderson about the warehouse receipt; next day, we three entered into a new agreement, and under the terms of that agreement the old cargoes were to come in; on the 12th September, got a cheque for 659 dollars from Mr. Nelson from Cleveland, accompanied by a letter desiring the same