

Mr. Cook was not taking his fair share of the burdens and responsibilities of the company; and he on his part probably entertained the view that Mr. G. M. Deeks was receiving more than he earned.

As far as Mr. G. M. Deeks is concerned, the feeling culminated in a letter of July 20th, 1909, when he wrote to Mr. Cook, notifying him that the contract work which the partnership firm of Deeks and Deeks had had was completed and that he did not intend to continue the partnership longer. All work that he should thereafter do, he said, whether carried on in his own name or in the name of Deeks & Deeks, would be treated by him as new business, not including Mr. Cook.

In the view that I take of the case I am not at all concerned with the merits of these internal controversies. Mr. Cook declined to undertake work which Messrs. Deeks and Hinds thought he ought to undertake. At different times he made some endeavour to obtain more congenial work in the north-west. No new contracts for the company or its associates resulted. All this appears to me also to be beside the mark.

Finally, Cook secured a contract called the Teeton contract, in Montana. Cook was undoubtedly willing to allow Mr. G. S. Deeks and Hinds to share in this, but they declined to join him. Mr. G. M. Deeks had no opportunity of sharing.

At the annual meeting of the company in January, 1910, feeling appears to have run pretty high. Messrs. G. S. Deeks and Hinds thinking that the situation was very unfair when Mr. Cook was doing nothing for the common benefit and was carrying on independent work on his own account. Mr. Cook suggested that this could be adjusted by payment of a salary to those actively engaged in the company's management. This appears to have been scoffed at by both Mr. Hinds and Mr. G. S. Deeks, who thought it was quite derogatory to place them in the position in truth of working for Mr. Cook at a salary. Their feeling in this respect may perhaps be gathered from the fact that while the capital of the company was only \$200,000 the dividends declared in the six years of its operation amounted to \$1,562,500, and there is still in the treasury a sum approximately equal to the capital. Nevertheless, at that meeting,