

Q. How long did they remain with you?—A very few moments.

Q. What did they come about that morning?

*McCarthy, B.C.*—I object. I ask to be allowed to interrogate this witness as to the agency before this question is put.

*Ostler, J.*—I cannot exclude the evidence.

Q. What did they come about?—In reference to the withdrawal of Mr. Boyle's tender.

*McCarthy, Q.C.*—And as to the dates, the agency was over at this time.

Q. What passed between you on this morning?—Mr. Cotton brought over Mr. Starrs to get some explanation from me as to the effect of the withdrawal, and how it ought to be done.

Q. What did you say to them?—I said it was very simple: "All that I require is a letter, which I have in my hands," the cheque and notes to be handed to them on getting the letter signed by Mr. Boyle, a letter of withdrawal.

(*Bethune, Q.C.*, states at this stage that he has been informed that a man of the name of Grey had been communicating as to what has been going on in court with Mr. Cotton, the witness put out some time ago. Mr. Bethune despatches a messenger to Mr. Cotton to tell him that if anyone communicates what is going on in court with him, he will have him committed.)

Q. Could you say what amount of notes and cheques?—A \$500 cheque and \$2,500 in notes.

Q. Did you tell them whose notes?—The cheque and notes were made by MacLean, Roger & Co., in my favor, and endorsed by me. I told them that.

Q. Was that all that passed between you?—That was all.

Q. Was anything said then about the form of letter?—Yes; I pencilled out the form and sent it to him.

Q. What did you do with that?—I gave it to Mr. Cotton.

Q. This was between nine and ten on Thursday morning?—Yes.

Q. When did you next see Mr. Cotton?—I saw him about an hour afterwards.

Q. When did you first see Ex. 11, letter of withdrawal, signed by Mr. Boyle?—When Cotton came back.

Q. Had he that letter with him?—Yes.

Q. Well, do you know whether it is the 24th, 26th or 21st? It is assumed to be the 21st?—It may be the 24th; it was the 21st that he went after it.

Q. But as a matter of fact, did you notice whether the date was just the same?—I did not notice.

Q. That was brought to you some time during Thursday?—Yes.

Q. Thursday would be the 24th?—Yes.

Q. Who came back—Cotton or both of them?—Cotton alone.

Q. Well, on the occasion of his coming back, what passed?—When he came back, Mr. Roger was there, and he handed this letter. Either I or Mr. Roger handed him the cheque and five notes. I look at cheque produced. This is the cheque.

Q. It is dated April 23rd, 1879, Ex. 19. It is marked on the back, "Boyle tender, special expense account."

*Witness.*—The notes produced are two of the notes. These two notes were given at the same time. One of these notes is cancelled by Michael Starrs, "M.S." He did not do it in my presence. I do not know his handwriting.

*Bethune, Q.C.*—I put these notes in, Exs. 20 and 21.

*Witness.*—I delivered the five notes and the cheques to Mr. Cotton. Mr. Cotton is a witness to this letter.

Q. Do you know when Cotton's name was put to that as a witness, and how it came to be put there?

*Witness.*—I think Mr. Roger said, "how do I know that this is Boyle's letter?" He said, "I may witness it."

Q. What was done with the letter after it was witnessed?—I gave it to Mr. Roger at the time. We were both together. It may have been handed from Mr. Cotton to Roger. Cotton went away.