

Toronto Construction Company of a certain contract entered into between the Dominion Construction Company and the Canadian Pacific Railway Company for the construction of a certain line called in the evidence the Shore Line; more accurately known as the Campbellford, Lake Ontario and Western Railway, and for ancillary relief.

In the year 1905 negotiations took place between Mr. Cook and the Messrs. Deeks and Hinds, and Messrs. Winters, Parsons and Boomer, looking to the undertaking of construction work in Canada, both east and west, and the United States, and more particularly to the undertaking of a contract for the construction of some work upon the Canadian Pacific Railway, Sudbury line. As the result the Toronto Construction Company was incorporated and the contract obtained. The firm of Winters, Parsons and Boomer shortly afterwards withdrew, transferring their interest to the other co-adventurers in equal shares. Messrs. Cook, Hinds and the Deeks each became entitled to one-quarter of the capital stock of the company; one share being held in the name of the wife of one of the parties for the purpose of preserving the due incorporation of the company. From that time on the company entered into several important railway construction contracts and has carried them through to completion, earning very large profits.

It was not contemplated that all the work to be undertaken by these gentlemen should be carried on in the name of the company. Mr. Cook undertook and carried on, for the benefit of the four, a contract known as the Livingston contract. This was taken in the name of Cook, Deeks, Hinds and Company; but practically the whole work was carried on by Mr. Cook. Other work was taken and carried on by Mr. G. M. Deeks in the firm name of Deeks & Deeks; but all four were equally interested in this.

In the carrying out of these various contracts, as well as in seeking for other work to be undertaken, there was not always harmony between the four contracting parties. Messrs. G. S. Deeks and Hinds had the great burden of the company business, both in Ontario and the Maritime Provinces, thrown upon their shoulders. Mr. G. M. Deeks devoted himself mainly to business in the Western States; and while Mr. Cook carried out the Livingston work, which took most of his time for two years, the feeling developed that