

Q. I observe that on the back of one of the cheques is a memorandum, "in re Boyle's tender." Does that mean this Boyle?—It is a mere office memorandum. It is a special expense account.

Q. Is that the way you keep an account of that?—Yes.

Q. You can tell us pretty well. Do you think any person could have carried on the contract with Mr. Mackintosh's figures without losing money?—I do not believe anybody could have taken the tender below my own tender, and made a dollar out of it. I speak of that after the experience of five years.

Q. Had you any special advantage on account of having your plant running there?—Yes; I consider I had all the advantage.

Q. Do you know how Boyle made up his tender?—He never told me how he made up his tender.

Cross-examined:

Boyle's tender was next to me. There is a difference of a couple of thousand a year between us. I am not sure.

Q. It is a trifle over a thousand dollars. Boyle's was the only tender which, in your opinion, was in a fair rate?—I did not consider it a fair rate. I had a plant which cost \$6,000. I expected to have an interest upon my capital: a very small interest on the second five years.

Q. How is it you could afford to pay \$15,000 to do this contract, if your tender was so low?—I did not see anybody below me to whom I could sell my plant. I have a plant specially adapted to that work. A person with a plant is completely at the mercy of those other tenderers. I am forced in a measure to sell to him who has got the contract. They may take that into consideration.

Q. Your object was in giving this money to keep up your plant?—Yes.

Q. You told us the other evening that your only interview with Mr. Boyle was on Sunday?—Saturday and Sunday. I spoke to him on Saturday about it, and got his answer on Sunday.

Q. What was your proposal?—I simply asked him what he intended to do with his tender. He told me I had better begin at the bottom.

Q. What answer did he give you?—He told me he intended to carry out his tender.

Q. I believe he was anxious, if the contract was awarded to him, to take you in with him?—Yes; he was to take me in for a third. He did not say anything about putting his share in. I repudiated the idea at once. I made up my mind that unless I and my plant got it, I would not have anything to do with it. I did not make an offer; when he told me exactly what he was going to do, then I told him that it could not be done. I did not make any proposal; did not say I would give him so much to withdraw; told him I intended to make it worth his while. He repudiated it. He said he had grown to that age, and had never done anything wrong to injure his character, and would not do it now. I never saw him again to speak to him. I employed Mr. Charlton to act as my agent. Mr. Cotton, whom I looked upon as Boyle's agent, suggested that Mr. Charlton—

Q. You need not mind about that.

Witness.—Mr. Cotton suggested on Monday or Tuesday, am not sure of the days; at all events before the arrangement was made; it was not before I employed Charlton.

Q. Before you authorized Mr. Charlton to see Boyle?—I think it was.

Q. It was at Cotton's suggestion you employed Charlton?—I thought Charlton could do better than I could; he suggested that he could. He said they were both Irish Catholics, and they would have more confidence in one another.

Q. That was the way you came to employ Mr. Charlton?—Yes. Charlton tendered in his own name. He did it at my suggestion, for the purpose of getting the situation if possible. If he was the lowest he would withdraw.

Q. If you were lower than he, what could be done?—So that he would get the contract. If he was lower, I would get it.

Q. Had you any person else acting in that position?—Yes.