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Better deal with a man who is on the spot 365 days in the year. If anything is wrong, you know how to make it right when you know where to find the man who sold it to you.

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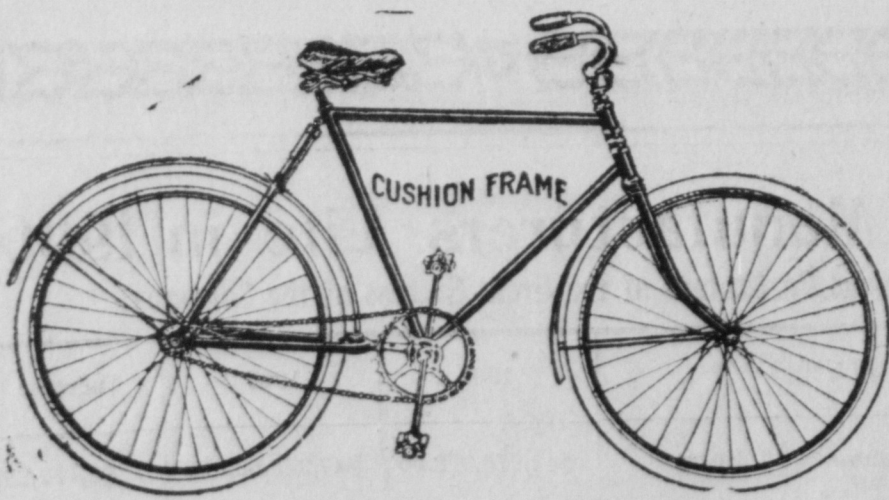
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LOCAL REPRESENTATIVE

Alex. S. Benn.

### SENT UP FOR TRIAL.

(Continued from third page.)  
it (Obj.) I saw them on the raft, Smith was counting it anyway.

Q Counting this joint?  
A No, counting the raft.

Q Do you know whether he counted this joint?

A He asked me how many was in this joint.

Q What did you tell him?  
A I told him there was 20.

Q Did he make any reply?  
A No. Someone had put a spot on the logs, I supposed Mr Tompkins had done it.

Q Do you know what the contents of that spot were?

A I think 162 pieces.

Q Look at that piece of wood, is that the spot put on that log?

A I could not say, all I know he put on spots.

Q There was 162 pieces?

A Yes.

Q How many thousand?

A I don't remember anything about the thousands.

Q Do you remember about the average?

A No.

Q Did he put any of this joint of 20 on the six or seven that brought up at Bath in order to make the 162 pieces?

A I could not say about that.

Q Did you count them yourself?

A Yes.

Q How many did you make?

A 162, pieces.

Q Did you count the 20 pieces and the six or seven pieces put in at Bath?

A Yes.

Q It took all these river logs to make 162 pieces?

A Yes.

Q Was Tompkins or Smith present when you counted them?

A No.

Q You counted in their absence?

A Yes.

Q During the time you were working for Mr Smith—is it not true when you gathered up those 20 logs—were you working for yourself or Mr Smith during the time you were doing this rafting?

A I was working for Smith.

Q How much did you get a day?

A \$2.00.

Q Didn't you get more than that?

A No. There was no trade, that is what he paid me.

Q Did you not expect a little more than that?

A No.

Q You say you worked for your brother, your brother worked for Smith?

A Yes.

Q What were you doing?

A Picking up logs for him.

Q What kind of logs?

A Spruce logs.

Q What was the mark on them?

A I think it was C Cross Girdle Star.

Q Or C Cross C Girdle Star?

A I could not swear, there was a Girdle Star in it anyway.

Q You know there was a C and a Cross in it?

A I would not be so sure about that.

Q Didn't you give the mark to Mr Foster the other day?

A No, I didn't.

Q You just told him what it was?

A I told him what I thought it was.

Q What did you tell him you thought it was? (Obj.)

Q Give me your best recollection of what that mark was?

A I could not say for sure I know it was a Girdle star in it, anyway, that is as near as I can come to it.

Q Was there a cross in it?

A I could not say that, he gave the mark to my brother, I was working for him, picking up logs.

Q Did your brother tell you what Mr Smith told him?

A I just saw the paper with the mark on it.

Mr Hartley objects and asks that the foregoing question be struck out.

Q How many of these logs did you pick up?

A I must have picked up 60 or 70, I could not say.

Q Where did you pick them up?

A Between Bristol and Bath.

Q In the county of Carleton?

A Yes.

Q What did you do with them?

A Ran them over to his mill.

Q Whose?

A Smith's.

Q Where?

A At Florenceville.

Q In the county of Carleton?

A Yes.

Q Do you know what became of them.

A George Kinney hauled them out of the water, there.

Q George Kinney was working for Smith?

A Yes.

Q Do you know if there were any of them hauled into the mill?

A No, I don't.

Q You say one of Smith's men hauled them out of the water?

A Yes.

Q What pay did you get for these?

A I think he was to give me 20 cents apiece.

Q Did you get your pay?

A I know I got 20 cents apiece for picking them up, I got it from Smith.

Q At the time you gathered these logs, did you get any other logs out of the river?

A Not just that time.

Q Did you, during that year?

A Yes.

Q Tell us about that?

A I picked up 20 or 30 I guess.

Q What kind of logs were they?

A Spruce logs.

Q Any marks on them?

A No.

Q What did you do with them?

A Sold them to him.

Q To Mr Smith?

A Yes.

Q For how much?

A I think I knocked out \$10 I don't know just how much.

Q For the lot?

A Were these what are usually called river logs?

A The ones I picked up.

Q Yes? say the logs floating down the river?

A I would suppose they would be.

Q You know what a saw log is?

A Sure.

Q You knew these were saw logs?

A Yes.

Q Floating down the river?

A There was no marks and they were apt to be bank logs as anything else.

Q Were they floating in the river?

A Yes.

Q Did you think because there were no marks they belonged to Mr Smith?

A No, I did not.

Q You knew what was the law about unmarked logs?

A I do now, I didn't then.

Q Were you picking these up under Mr Smith's instructions?

A No.

Q You picked them up and sold them to him?

A Yes.

Q Did you ever pick up any other logs out of the river and sell to Mr Smith?

A No.

Q Ever pick any from the river while working for Mr Smith at the boom?

A No, I never did.

Q You were arrested by Mr Foster along in May in connection with this first lot of logs we have discussed, were you not?

A Yes.

Q You were taken down to Mr Foster's Friday night?

A Yes.

Q And taken back to Bristol on Saturday?

A Yes.

Q When you got to Florenceville whom did you meet?

A Frank Smith.

Q What did he say to you?

A He told me the only thing was to plead ignorance.

Q Did he explain what the word ignorant meant?

A No.

Q When you got to Bristol who did you meet?

A I don't know.

William Burnham, (Sworn.)

To Mr Carvell—I live at Florenceville, Parish of Peel, I know B Frank Smith.

Q Were you working for him in the month of May last?

A I am not positive I worked for him all of May, part of the time I did.

Q What were you doing?

A I helped raft some, I worked in his warehouse a few days, I rafted a few days.

Q Where were you rafting?

A While I say I rafted, he sent me to help Dyer raft.

Q You were working by the day for Mr Smith?

A Yes.

Q Where were you rafting?

A At Bristol.

Q Where did you go then?

A We ran these rafts down to Upper Woodstock, then we went to Bath.

Q What logs were you rafting there?

A The Giberson logs I supposed they were.

Q How many joints were there?

A I could not just swear; I think it was six joints in one raft and four or five in the other; I am not sure whether there was six or not.

Q What kind of logs were these you were rafting?

A It seems to me quite a lot of fir and spruce and a few poplar.

Q Probably three quarters were fir?

A Quite a few fir, some good spruce.

Q Some pretty poor?

A Some pretty good.

Q Some pretty good poplars?

A Fair size.

Q Taking them all around they were a good quality of logs?

A It was as good a quality of logs as I have helped raft this spring.

Q You remember after the river logs, the joint of river logs were tacked on the raft at Bristol?

A Yes.

Q Was there any difference in the logs in that joint to the rest of them?

A It did look a little different.

Q Would it be very hard to tell the difference between the different kinds of logs?

A They looked a little different from his logs; they did not look alike.

Q They did not look like the Giberson logs?

A No.

Q Any person who could go on the raft could tell this joint of logs was different from the Giberson logs?

A Yes.

Q Take the 7 or 8 mixed up that the men rafted before in Bath were they different looking logs from the rest of the raft?

A There was a few logs in there looked a little different.

Q Any person knowing anything about logs could tell some as the Giberson lot?

A I suppose anybody sharp in lumbering could tell.

Q Tell me what took place at Bath when Mr Smith came up?

A Mr Smith came there, he spoke and asked was there a joint of logs that was down there at Bristol, that Dyer I think said they was his.

Q Anything further said?

A No. Frank says to me "These logs of mine felt short." We rafted some logs about from Bel. brothers; he claimed he bought 700 and they fell short when he scaled them.

Q Did he say anything about this joint of logs?

A He asked whose joint of logs that was.

Q Did he say what he was going to do with them?

A I don't know, I don't think he did.

Q Do you recollect his saying whose joint of logs that was?

A I don't recollect.

Q Did you know of that joint behind down there?

A I knew that morning.

Q When Smith and Dyer had a conversation you knew the joint of logs they were referring to?

A Yes.

Q You knew they were river logs at that time?

A No, I did not know. The morning before we started to Woodstock with three lengths, we met Mr Smith on the train when we went back, we got our dinner, I went to the warehouse to work, Mr Lovely went to work for Mr Smith, there was a joint of logs went down river, and Mr Smith sent Mr Lovely to catch them and get this joint.

Q This is another joint we have not heard of?

A Yes, a joint we have not heard of.

Q He sent Lovely to get this joint running adrift in the river?

A Yes.

Q Do you know what happened?

A Mr Lovely got it and pulled it ashore.

Q Where?

A Down at Nicholson's they told me they brought it ashore.

Q Where he had his logs piled?

A They was before they got out.

Q He had his logs to be rafted where this joint of logs?

A I could not swear they might have been.

Q That was along pretty well in May?

A I never asked him about his business, when we went up there this joint was there. I supposed it was another joint out of the same raft that had got adrift, he said there is another joint of these logs or a joint of logs, he referred to a joint of logs, Mr Lovely asked Dyer whose joint that was; he said he had got it, he did not say whether he had got another joint, I suppose it was another joint out of the same raft. We went on to Bath and went rafting, that was the first morning we went to raft to Bath.

Q Did Mr Smith come up?