

131. What is the extent of your knowledge of Mr. Witheridge? How long was he under your supervision?—I could not answer the question as to how long.

132. Would it extend to two or three years?—I cannot say.

133. During the time he was under your charge you were principally confined to your office, and you had Resident Engineers under you to supervise the work?—Yes.

134. I think they would actually know more about Mr. Witheridge's capacity than yourself?—No, I do not think they did.

135. Still, it is a fact that the greater part of your time was spent in the office?—A great deal of it had to be spent in the office, but I was constantly outside, and any questions that arose, such as the ones that I have spoken of, came before me directly.

136. The bulk of your time was spent in the office?—Well, probably, yes.

137. You speak of the reasonableness of the contractors receiving an extra price for excavating the invert; but it was carried out simultaneously with the remainder of the excavating?—Yes; but it requires more draining. The brickwork is done below it or at each end of it. The tunnel was on an incline. They put in 14 in. of brickwork, and you excavate for the ring on ahead. There is most difficulty in getting rid of the water; you have to bale it out. The necessity which caused this brickwork to be put in implied soft ground.

138. Is there not an alternative design shown on the plans for soft ground?—I can only speak of what has been shown me.

[Mr. Blow then showed the witness some plans, by permission of the Chairman. These contained two alternative sections of lining marked A and B. Under Section B, which had an invert provided in it and heavier brickwork, were the words "In soft ground to be used only where directed."]

139. *Mr. Holland.*] In reference to the sills, great stress has been laid on the bottom sill not being in the proper place. Should not the inspector have insisted on its being put in the proper place in the first instance?

*The Chairman:* We are not deliberating now. That is a question to me, and one which requires an expert to answer.

*Mr. Blow:* I submit that he cannot. The contractor says to his workmen, "You are not to alter it." What power has the inspector over it?

*Mr. Holland:* He has the power to stop the work.

140. *Mr. Graham* (to witness).] Mr. Blow asked you whether the inspector had not the right to order the removal of the sill if he found it being put in the wrong place. Was that the case here?—I cannot say.

141. Do you know whether it was being put in in the same way as the preceding portions of the tunnel?—That I cannot say. Of course, the sills were held up by the timber-work when I saw them, but I cannot say as to the particular sills at all.

142. And you do not know whether the order was given to remove those sills when they were being put in or afterwards?—No.

143. *Mr. Morrison.*] Have you any idea of the price per yard that Messrs. McLean tendered for putting this tunnel through?—I have no knowledge except what I heard on this Committee—6s. 6d., I believe—and I think there was some question about 6s. additional.

*Mr. Graham:* 6s. 6d.

144. *Mr. Morrison.*] If a contractor contracts to put through a tunnel at what you consider to be a fair price he would take the chance of the ground perhaps turning out of a softish character, and he tenders at a reasonable price. Suppose after starting it he finds that it runs through what may be termed a sandstone rock, which you thought could be tunneled for the matter of 2s. or 3s. per yard, he would then, I suppose, think he had a bit of "fat" in connection with the tunnel?—Very likely he would.

145. Do you not think, then, that in this case it is one of the ordinary contractors' risks?—That is hard to answer.

146. It should cut both ways?—It should cut both ways; but every information should be given so that the contractor should have the opportunity of judging of the sort of stuff that he was to drive through, though I would be averse to guaranteeing the correctness of such information. A piece of "fat" such as you speak of may very seldom fall to a contractor's lot, but might be expected as one of the pieces of luck that might occur to any one. The principle that I would like to go on is this: that if it is impossible to put a tunnel through a piece of soft ground that turns out to be exceedingly soft, it should not be done at the expense of the contractor, the whole community getting the benefit of it.

147. You state that as a general principle?—Yes, a general principle.

148. But are you not aware that all the information the department had at its disposal was placed at the disposal of the contractors tendering?—That I do not know.

149. It has been given in evidence.—But I know nothing of it.

Mr. JOHN BATE CLEMON, of Stratford, Taranaki, Farmer, examined.

150. *Mr. McLean.*] You were engaged by me as a workman on this Makarau Tunnel some time in 1890, I think?—Yes.

151. Prior to that, what knowledge had you of tunnelling?—I had four years and a half with Mr. Brittain, at Porotorau, in the King-country.

152. I employed you as an overseer with a gang of men?—Yes.

153. In doing so, were you responsible for the work during your shift, and the manner of carrying out the work during the time you were in charge of the men?—Yes.

154. I did not interfere with you in any way in carrying out the work any more than to specially instruct you that the work was to be made secure?—Yes.