

155. That was, above all things, my instruction to you?—Yes.

156. In your work in connection with the Porotorau Tunnel there was an overseer for the contract?—Yes.

157. In carrying out the work in connection with that contract, did the overseer interfere with the contractor over the method of working, or of placing the timbers in the tunnel?—No; never. He never attempted to interfere.

158. The contractor placed the timbers as he liked, and in putting in the lining were the ends of the middle sill left in the brickwork?—Yes.

159. Nearly every one of them, and bricked up afterwards?—Yes.

160. In that tunnel the nature of the ground was of what description?—It was some of it soft, and some of it papa rock. Each end was soft.

161. The foundation was sound, although the roof was soft?—Yes.

162. In your opinion, did Mr. Witheridge unduly interfere with both the men and the method of conducting the work on the Makarau Tunnel, considering your knowledge of inspectors in the work you have been connected?—Yes; when we came into soft ground.

163. In your recollection, did you hear Witheridge at any time instruct us to take out those sills?—Yes.

164. That is, the main sill?—The main sill.

165. And the sill underneath the main one?—Yes.

166. Stating at the same time that the brickwork was of sufficient strength to carry the timber and the weight on top of it?—Yes.

167. At that time, of course, there was an invert under it?—Yes, at that time.

168. When I employed you as foreman, what other foremen did I employ?—Patrick Smith and John Hunter.

169. To your knowledge, had those men ever had any experience in tunnelling?—Yes.

170. They were undoubtedly good men at tunnelling?—Yes.

171. In carrying out the work, when you got into the soft ground—the clay—out of the sandstone, the ground was of very heavy nature?—Yes.

172. And required close timbering?—Yes.

173. Heavier than anything else you undertook?—No; not quite so heavy.

174. During the construction of this work, and during the time that you were employed, do you remember on any occasion hearing me tell the inspector or the engineer, before they had put in the invert, that I considered the structure was not sufficient to carry the work?—I heard you tell the inspector, but not the engineer.

175. And it was only after we had driven some 5 chains that it was found out the brick lining was coming in?—Yes; at the footing.

176. Were you in the tunnel the night Mr. Witheridge took the levels?—No, I was not.

177. The Government, in connection with this, have laid great stress on the fact that we at one time stopped the work for Christmas. Did Mr. Witheridge at any time stop the work during our absence?—Yes.

178. What part of the week was that?—I could scarcely say; from Saturday to Monday, I believe.

179. The specification says we are to work every day when necessary, except Sundays. In work of this kind it would be absolutely impossible for us to go on with it without putting in a portion of the work on Sundays?—Yes.

180. In what state was the work when we stopped it?—It was in a very bad state.

181. I mean, what progress had you made in getting out the length?—We had the length finished, and it was only when you started to put in the bricks that he stopped you?—Yes.

182. In your recollection, was Witheridge in the drive at any time whilst it was under excavation a sufficient length of time to judge as to the weight on the timbers?—I do not think so; not to my knowledge.

183. Have you heard of him being in?—No.

184. Did you personally hear Witheridge remark to any of the men at any time that there was no weight on the timbers, and that we were unduly concerned about the weight?—Oh, yes; he used to laugh at the idea.

185. *Mr. Graham.*] At the idea of such a thing being suggested?—Yes.

186. *Mr. McLean.*] During the Christmas holidays do you consider it a difficult matter to keep men on the works?—I do.

187. *Mr. Graham.*] Putting in the timbers in this tunnel would include the sills that we have been speaking about?—Yes.

188. The inspector ordered certain sills at this part of the work to be taken out, did he not?—Yes.

189. Was that at the time they were being put in wrongly, in his opinion?—No.

190. Were the sills at this part being put in in the same way and in the same position as others that had preceded them?—Yes.

191. In the customary way?—Yes.

192. And the rule was that they were to remain there until the tunnel was sufficiently dry for them to be taken out?—Yes.

193. And the reason he had them taken out was because he considered the work sufficiently dry for them to be taken out?—Yes.

194. So that it would be wrong if any one were to say that he gave orders for those sills to be taken out because they were not put in in the way he wished?—Yes; there is only one way to put them in, I think.

195. *Mr. Holland.*] I think, during the examination, we heard that these sills were to be taken out before the arch was keyed in. Was that not so?—Yes.