

52. Yes; but at the special 11 ft. length that collapsed?—There was no brickwork in the tunnel at that particular length; we had not quite finished excavating ahead of it.

53. But the brickwork that collapsed?—We had to rest our bars on the bricks, and had no support to carry them—

*Mr. McKenzie* (interrupting): As I see the Committee does not quite understand, I was going to examine Mr. Wells on that point. [The point in question was, however, explained by means of a plan which Mr. McKenzie put in.]

54. *The Chairman* (to witness).] Mr. Wells, you were working on the tunnel in December, 1892?—Yes.

55. You were with the men when they knocked off work for the Christmas holidays?—Yes, sir.

56. How many days before Christmas?—I could not say exactly—a little over a fortnight perhaps.

57. You were away about a fortnight?—Yes.

58. Resuming work some time after the new year?—Yes.

59. How long was it from that time to the time when the collapse took place?—I could not tell you that.

60. But before you left had you taken the precaution to fix up everything in a substantial way, so that no damage was likely to take place?—Yes.

61. Mr. Witheridge was frequently in the tunnel?—Yes.

62. Did you ever know Mr. Witheridge to go right forward at any time to the heading?—Yes; many times.

63. That is, in advance of the brickwork?—Yes. He would be in the heading of the work, too, when they were bricking the arch.

64. *Mr. Hales* (representing the department).] Have you in your contracting work ever had any other experience in tunnel-building?—None before this.

65. When you were in charge of that work you say a sill was taken out. Do you know who took it out?—I took one out that I was ordered to take out myself.

66. When was that?—It was a few months back.

67. Not at the time of the collapse?—No.

68. Which sill did you take out?—The minor sill.

69. Did Mr. Witheridge order you to take out these props [pointing to the plan]?—Yes; he ordered me to take those timbers out.

70. How did you get past that sill with your brickwork?—This sill was taken out. On this particular occasion we were going to take it out; there was a great deal of weight there.

71. But I want you to explain how you got your brickwork past the sill and props?—[This the witness explained with the aid of the plan. Several other questions put to the witness by Mr. Hales as to the mode of procedure in building the tunnel were also answered with the assistance of the plan, to which close reference was continually made.]

72. Continuing, Mr. Hales asked: Did Mr. Witheridge or anybody else order the ground sill to be put in the position marked on the plan?—The contractor had the sill put in that position; I took no instructions from Mr. Witheridge.

73. Was there any difficulty in putting that sill down below the invert altogether?—Yes, it was altogether too difficult; the ground was very hard, and you could not bale the water out to get down in it. It would be of no use whatever.

74. Is it usual in such cases to put the sole-plate, or bottom sill, as you call it, in?—In my opinion, it is absolutely necessary, and we could not do without it.

75. With regard to the time when the slip took place in the tunnel, how much brickwork had you built when you left off work for the Christmas holidays?—I do not remember well.

76. After you came back you commenced and excavated a certain length?—Yes; in the usual way.

77. Then what did you do?—The main sill was taken out again.

78. Then, after you had taken out the sill, the whole of those back bars were hanging down?—Yes.

79. When you came on this heavy ground, and required all this support, did Mr. Witheridge order that particular sill to be taken out?—I cannot say, because I did not take it out.

80. *Mr. Flatman* (to the Chairman).] Is that a departmental tracing?

*The Chairman*: Oh, no.

81. *Mr. Flatman*: Then, will the department recognise this as correct?

*The Chairman*: The petitioner has brought this to illustrate his own case, and he is perfectly at liberty to do so. This is only intended as a rough illustration, and a correct picture or drawing of the breakdown.

*Mr. McLean* (the petitioner): This is a perfectly correct illustration of the method of timbering, and of the cross-section of the tunnel.

82. *Mr. Hales* (to witness).] You say Mr. Witheridge was not in the tunnel when the excavation was going on, as a rule?—No.

83. He was only the Inspector on the contract, I believe?—He was the Inspector that we looked to, but he also had an assistant.

84. But in the meanwhile there were other works going on at the same time, were there not?—Yes.

85. So that he could not always be in the tunnel when you were excavating?—No.

86. Mr. Witheridge, in fact, did not direct your mode of timbering at all?—He did not direct our mode of timbering.

87. But he did see that the tunnel was of the proper size and lined, and that the lining was properly put in?—Yes.