

21. Exactly; but this is a matter that I want a straightforward answer on. Did you find Mr. Witheridge any more troublesome than other inspectors you have met with?—Yes.

22. That is, that he interfered greatly with the carrying-on of the work?—Well, of course he was a new hand then. I have known Mr. Witheridge for years—over thirty years—as a tradesman. I do not think he would be actuated by any hostile motives in interfering; it was more his anxiety than any intention to be officious, I should say.

23. *The Chairman.*] You would say that Mr. Witheridge was unnecessarily strict in superintending the work?—I would not go that far. Of course, I am speaking now of nearly twenty years ago. I know engineers and clerks of works in the colony whom I would not tender or work under.

24. But he was extremely strict?—Yes.

24A. Have you ever in carrying out tunnel-work been asked to remove the sills in the way the petitioner described that he was asked?—I have only put in one large tunnel, and that was on the Midland Railway. I built in ten sills there.

25. Is it generally the custom for the engineer to allow the contractor to build in the sills if it is found necessary, and afterwards withdraw them and fill up the gaps with brickwork or concrete?—Yes; it was in my case.

26. Without difficulty?—Without any difficulty at all. There was no obstruction at all. I built them in. Of course, the sills were wasted, but that did not matter.

27. *Mr. Crowther.*] I think I understood Mr. Maguire to say that he had one slip, and that the engineer he had over him authorised a diversion. (To witness :) Does that mean a diversion of the line altogether?—Yes.

28. That would mean, practically, an alteration in the specification?—Not altogether in the specification; but it would mean an alteration in the plan, necessitating a slight curve.

29. So that in that case you had no trouble about slips at all: it was treated by a diversion?—Yes.

30. *Mr. Morrison.*] You state, Mr. Maguire, that you have had some experience in tunneling work in this colony?—Yes.

31. Have you had any experience in what is known as “soft” ground?—Yes, I have had most difficult ground; we had one fall-in once, and it cost me £250 to pick it up.

32. You see that tracing there of the Makarau Tunnel. Would you think it was your duty, as a contractor, if you were dealing with that class of ground, to put in a sole-plate, or bottom sill as you call it, there? Do you think it would be absolutely necessary?—Yes; there would be great weight on the roof, and, of course, the sill props it up.

33. It has been stated here this morning that, according to Sims, it is laid down that, in dealing with soft ground, simply posts are put into the ground, the cross-sill is put above that—

*Mr. R. McKenzie:* It was not stated in evidence, but by Mr. Hales.

34. *Mr. Morrison.*] Would you consider that a proper method, to do away with the ground sill, and simply put the two pillars on to the ground wherever you could get a bottom? And do you think that would be sufficient to carry the top sill and the weight that was upon it?—You mean dispensing with the bottom sill? I certainly should not run the risk.

35. You stated that you have had some experience of Mr. Witheridge as a contractor in this colony?—It was nearly twenty years ago.

36. Do you think he has improved by age?—Well, all I can say is, he was very strict.

37. But I suppose Mr. Witheridge interfered with the men so as to see that they were performing their work properly?—Well, to see things that the contractor may have overlooked. He was the proper man for that.

38. Was he in the habit of speaking to you about the men, and did he speak to the contractor or to you personally?—Well, it is so long ago, I can hardly say.

39. To sum it up in a sentence, your experience of Mr. Witheridge is that he was rather of an officious character?—Well, I consider him an extremely good tradesman, but he is a man who perhaps carries his own opinions too far.

40. What is his trade?—He is a stonemason. He is in about the same line as myself; he is a stonecutter, and I am a builder.

41. You have found him difficult to get along with?—A little bit, I should not like to have him over me as an inspector. There is no personal animus.

42. *Mr. Flatman.*] Do contractors always understand who are to be foremen over them?—Certainly not always, but a contractor greatly relies on an engineer that is over him.

43. Yes, but I understood you to say that you would not put a tender in under some inspectors. Would you have any knowledge that they were going to be inspectors?—We generally get at that knowledge somehow; it is not a very difficult matter that. I have had but one small contract with a tunnel in my life—only the Newmarket Junction.

44. I suppose inspectors are shifted about sometimes from one contract to another?—They generally finish the work they are on. I have not known them to be shifted during the operations of a contract.

45. You have never known them to be removed for being too stringent?—I have no personal knowledge of it, but I have known them to be removed for being extremely stringent.

46. You have known them to be removed?—Yes, but not personally.

47. *Mr. R. McLean.*] You have heard about Mr. Witheridge interfering with the men. Is not it customary for the inspector to do that in a contract?—The contractor should be the person communicated with.

48. But you say interfering with the men?—Yes; but I do not remember well.

49. If the Government engineer wants any alteration he instructs the contractor, but does not tell the men what to do?—If alterations are wanted, it is provided that the contractor should be instructed in writing. Those are the conditions.