

**Railway Construction—Contract No. 13.**

Cross-sections taken in the fall and winter of 1877 from which approximate titles obtained

Did not complete Pincer took no motion. If

Went on under his instructions placing rock as bases in the water stretches near the cuttings.

July, 1877, Rowan visited work, and gave authority to fill up Lake Deception with earth, protected by narrow rock walls.

This was a decided change in the character of the work.

These directions given verbally to Chas. Whitehead.

Rowan did not direct that the embankments throughout should be rock protected.

In Sept., 1877, began making the side protection walls.

468. About what time did you communicate that to him?—Immediately upon receipt of his letter of instructions we mentioned to him that it was not practicable to do the work in that way; that we felt sure there was not rock enough in all the cuttings on the line to fill up the water stretches as he had directed us.

469. About what time of the year would that be?—May or June, 1877.

470. Did he take any action upon your communication?—No immediate action that I am aware of.

471. Did you proceed upon your own idea of what would be best?—No; we proceeded upon his instructions to place the rock cuttings that was near those water stretches in the water, forming the approaches.

472. You say that he took no immediate action upon your communication; when did he take action upon it?—No immediate action was taken by him, and we went on under his instructions, placing the cuttings near the water as solid bases.

473. Were any different instructions communicated to you authorizing a different kind of construction?—I think in the latter part of July, 1877, Mr. Rowan, inspected the work and then gave us authority to fill up Lake Deception with earth, protecting the slopes of the embankment with narrow rock banks.

474. Was this a decided change in the character of the work from which Mr. Carre had first directed?—It was.

475. Were these directions from Mr. Rowan in writing?—No; the directions were given verbally by him, in Mr. Carre's office, in the presence of Mr. Carre and Mr. Whitehead.

476. To whom?—To Mr. Charles Whitehead, as the contractor's agent.

477. Were you present?—I was.

478. Did those new instructions apply to the whole of the work or only to particular localities?—The instructions relative to filling up the embankments with earth applied to the whole of the work as far as earth could be procured. Mr. Rowan's instructions to us were that we should borrow all the earth that we could in order to make up the embankments.

479. Do you mean his instructions at that particular time?—At that particular time during his inspection of the work.

480. Do I understand that through all the water stretches Mr. Rowan directed you to make rock protection banks instead of solid bases?—No.

481. Then to what were the instructions limited?—The only definite instructions given by him with reference to that referred to Lake Deception at that time.

482. Were these instructions confirmed in any way to you either by Mr. Rowan or anyone else afterwards?—In September, 1877, we began making the side protection walls instead of full embankments, under the direction of the engineers.

483. Which engineers?—The engineers in charge of the work.