

Mr. Walsh—Yes.

Mr. Holton—Verbal or written?

Mr. Walsh—Verbal.

Mr. Holton—Here or on the works?

Mr. Walsh—Well, both. I think the sureties for sections 17 and 19 made representations, but I am not so positive.

Mr. Holton—Have there been in any of these cases applications on the part of the contractors or the sureties for modifications of the terms of the original contract?

Mr. Walsh—No.

Mr. Holton—Only with reference to the mode of making the progress estimates?

Mr. Walsh—That is all.

Mr. Holton—You referred, in speaking of the causes of Mr. Smith's withdrawal, first to the complaint of the contractors as to the amount of work remaining to be done, and secondly to their complaints as to his bad temper. Now are there any written complaints of his bad temper?

Mr. Walsh—No, I think not; I have no recollection of any.

Mr. Holton—Who made the complaints of his bad temper?

Mr. Walsh—They were made by the contractors usually when we passed over the line. Not only in one, but in several instances, the sureties of the contractors have been upon the works when we went over them. These parties have been anxious to meet the Commissioners and state their case, and the complaints have been made upon those occasions. I may say, in passing, that the committee will remember my having expressed a high regard for Mr. Smith because of his professional character, and that in my first remarks upon this subject in the Committee, I did not refer to this latter complaint. Although it was a very strong point urged against him, this infirmity of temper, I was not the first to mention it here.

Mr. Holton—What were the principal manifestations of this infirmity of temper?

Mr. Walsh—Well, when the work was not going on satisfactorily, he was liable, instead of arguing the case quietly with the contractors, to get into an excited state, and unpleasant words resulted. As Sir John said the other day, no man admits more than Mr. Smith himself his irritability of temper.

Mr. Holton—He ought to be here to admit it before we receive the admission.

Mr. Walsh—He might not be willing to admit it as against himself.

Mr. Holton—I do not think it is fair to quote admissions when Mr. Smith is at such a distance, and cannot be called to testify for himself. But it is quite proper to take evidence as to what the manifestations of this infirmity of temper were; and it appears to me they were of the mildest possible character, if we may judge from Mr. Walsh's answer.

Mr. Walsh—Well, speaking from memory alone, I could undoubtedly mention a case where one of Mr. Smith's subordinates wrote to the office, complaining of this same infirmity in the discharge of his duty.

Mr. Holton—Then there is some correspondence on the subject?

Mr. Walsh—Yes, as between one of the staff and Mr. Smith, but it is not in relation to the present enquiry.

Mr. Holton—Was that communication to the Commissioners or to the Chief Engineer?

Mr. Walsh—To the Commissioners, if I remember aright. It was some months ago, and has no bearing on this investigation.

Mr. Holton—Well, there is a written record which we ought to have.

Mr. Walsh—It has no earthly bearing upon the case of the contractors. It is simply a complaint on the part of one of the persons engaged on the work who thought he had been harshly treated, and it has nothing to do with the case we are enquiring into to-day.

Mr. Holton—Why did you mention it then?

Mr. Walsh—Merely to show Mr. Smith's infirmity of temper—

Sir Francis Hincks—I may state as a general rule, that people who have an infirmity of temper—