

APPENDIX No. 3

side the slope line where overbreak was returned. The cases in which this occurred were very few and were not of serious importance. It appears from the evidence of Mr. Grant and Mr. Doucet that in the remeasurement, which is taking place, the corrections are being made and all the information is being given upon the cross sections.

(3) The third statement is that in some cases where cross-sections were prepared showing ledge rock, same proved to be erroneous, resulting in a very much larger amount of the solid rock being returned than actually existed.

The remarks upon the second statement cover this. From the explanation given in regard to it, it is the repetition in another form of the omission of dividing lines between ledge rock and assembled rock upon some of the cross-sections.

(4) The fourth statement is that overbreak had been returned in many places where it was caused by excessive use of explosives; and where the material was wasted, this ought not to have been done.

As put by Mr. Lumsden here, the propriety of the allowance of overbreak seems to depend upon the question of whether the material was employed in the construction of the embankment, or was wasted. This is a partial view of the proper construction of the specification, which provides for the allowance of overbreak where it is not caused by excessive use of explosives; and although the wasting of it may in many cases follow careless blasting, the allowance of it does not necessarily depend upon whether the material is usefully employed or not. It is evident that in many cases overbreak ought to be paid for although it would not be economy to haul it and employ it in an embankment.

The evidence as to overbreak shows that it is a matter of judgment between the engineers of the Commission and the contractors on the one hand, and between the engineers of the Commission and the engineers of the Grand Trunk Pacific Railway Company on the other hand, and that any differences on this subject have been and are being adjusted.

In view of Mr. Lumsden's evidence, in which he has repeatedly stated that the real question in difference between himself and his engineers was a difference between his judgment and theirs as to the allowance of assembled rock or rock in masses, under clause 34 of the specification, inasmuch as Mr. Lumsden was the chief engineer, and the judgments of the engineers having immediate charge of the works were subordinate to his own, it does not seem that any of the matters which are mentioned in Exhibit 1 can be considered as a sufficient reason for his resignation. There are differences of opinion which might fairly be expected to occur between himself and such engineers, while the specific causes of complaint mentioned above relate to matters of comparatively minor importance compared with the difference of opinion which no doubt existed as to the classification of assembled rock.

F. H. CHRYSLER.