

1740. Did you give him the bill, and why?—I did not. I can't say for what reason I did not, except it be that he would have been under that much of an obligation to me.

1741. From what you say this obligation did not seem to have much effect?—I discovered in November, 1872, that while fair to my face, he was giving me foul play in attempting to drive me off the works.

1742. You discovered this?—Yes.

1743. After you made this discovery did you not present the accounts? and if not, why not?—I thought very little about it.

1744. You say that after due revision you are entitled to \$52,000 upon the principle of payment for works supplanted, of which you received \$10,000 from the Commissioners. Is that correct?—I consider that I was so entitled. The principle was recognized by the payment of \$10,000 on account of my claim.

1745. How much have you received on this contract?—I received \$164,000.

1746. You consider then, according to this statement, that you are still entitled to \$42,000, irrespective of the work to be done?—I don't say that now. I say that I should have been paid \$52,000 at the time I claimed it. The Commissioners could then regulate their monthly payment to me, as they thereafter thought fit.

1747. You claim that the progress estimate, up to the time you here refer to, underpaid you by \$52,000?—I do.

1748. When was this?—In December, 1872.

1749. Do you know what you received up to that time?—I cannot say without referring.

1750. Have you received this amount in dispute since?—No.

1751. Have you received any portion?—No.

1752. Did you not receive \$26,000 for which there was no estimate?—I received \$26,000 outside my estimate. Only \$10,000 of it was of the \$52,000—\$10,000 besides was paid in consequence of having stock, materials laid in in the fall of 1871, and food besides by way of general assistance to the Commissioners I think at different times.

1753. So that but \$10,000 of the sums you claim have been paid?—Yes.

1754. Then, according to the statements made to us, the accounts stand in this way:—

Amount paid you.....	\$164,000 00
Reductions.....	35,000 00
Cost of Completion.....	60,000 00
	\$259,000 00

1755. You say that this \$42,000 has still been unrecognized. What have you to say to this?—The circumstances that made the claim of \$52,000 in August, 1872, a proper one, from my stand point, from the progress of the work to the present condition has become extinct.

1756. In what way?—Because I have been paid from month to month at increased schedule prices and because of outside advances.

The Sub-Committee then adjourned.