

The Specifications provide that;

"Whenever solid rock is not found, the foundations will consist, either of paving, concrete, piling, or platforms of timber and plank, as the Engineer may direct.—The whole to be protected by sheet piling, rip-rap, crib-work, or coffer-dams when necessary; and executed in the most thorough and substantial manner."

When the Chicago Contracting Company made the first proposition, and negotiated the present contract for constructing the road, the parties, all of whom were practical railway men, were particular to inquire respecting the kind of sub-structure that would be required for the masonry of the bridges over the many large streams, which the profiles then exhibited to them, showed were to be crossed by the Railway; and I informed them that, so far as I could then judge, from a somewhat superficial examination of these streams, the foundations would be of the same character as those which I had previously adopted for a Railway bridge of a mile in length, across the Potomac River, at Washington, U. S.; which, as they very well knew, were composed of piles, driven in 30 feet water, and protected by cribs filled with stone; and had then stood the severe tests of high floods and ice-jams of the Potomac River, during a period of ten years.

If the above assurance had not been made by me, I do not think that the contract would have been closed upon its present terms; although the specifications, as quoted above, which I afterwards prepared, were fully approved by the Chicago Contracting Company, and were allowed to form part of the contract.

I am not aware that the present Contractor, when he assumed the contract about one year ago, had any knowledge of the above facts. And I do not even know whether they will be regarded, by any one but myself, as having a material bearing upon the present question.