

Railway Construction—
Contract No. 13.

985. Have you a statement showing the persons who tendered?—
Yes.

986. Can you produce it?—Yes; I produce the original. (Exhibit No. 36.) List of tenderers.

987. This last appears to be certified by Mr. Braun, Mr. Rowan and Mr. Palmer; are you yourself aware of any of the circumstances connected with the opening of the tenders beyond what that certifies?—
No.

988. Then your knowledge as to the opening of those tenders is based upon this certificate?—Yes.

989. Attached to this certificate is a report by Mr. Fleming showing the eight lowest tenders; have you any knowledge as to that statement beyond what is shown there?—No.

990. Are the facts correctly stated in those certificates, as far as you know?—I believe they are. I have not audited the list, but I believe it to be correct.

991. Were those tenders based upon a schedule of prices applied to those quantities given in the bill of works?—Yes.

992. By Mr. Fleming's certificate, Charters & Co. appear to be the lowest tenderers; have you their tender?—I will produce it shortly. Charters & Co.,
lowest tenderers.

993. In this bill of works I notice the heading over the quantities in these words: "The following is an approximate estimate of the total quantities of the work required to be executed"; and again: "From this bill the aggregate amounts in the several tenders are to be computed." Do you know whether that was understood in the Department to be an approximate estimate or not? There has been some difference of opinion, I notice, in the evidence before the committees, between Mr. Fleming and the Minister of Public Works as to the meaning of that estimate and these words; have you any knowledge as to how it was understood in the Department?—I understood the words "approximate quantities" to mean as explained in the bill of works. The bill of works says: "The quantities in this bill are furnished for the purpose of giving an approximate idea of the nature and magnitude of the contract, and to admit of a comparison of the tenders. The Department of Public Works reserves the right to vary the location and alter the works in any manner that may appear advisable, and such alterations shall not invalidate the contract. The quantities of work so altered, whether above or below the quantities now furnished, shall hereafter be correctly ascertained and paid for according to the schedule of prices in the tender which may be accepted."

994. You have not understood my question. That is the intended effect of the use of the words upon the minds of the persons tendering. My question is directed to this: what was understood in the Department to be the meaning of the words? Was it understood that those quantities gave an estimate approaching accuracy, or were the quantities entirely speculative?—My understanding was what is conveyed in the bill of works.

995. I have not made myself intelligible. Did you understand that the quantities named in this bill of works were nearly correct, or that they were speculative?—My understanding was that they were approximately correct. Quantities named
in bill of works
approximately
correct.