

File No. 10178 Continued.

CORRESPONDENCE.

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of five ply bars, of what the alternate layers of this character of steel are to consist and how they are to be welded together; and, further, this description of steel is said to apply to all steel flat bars and to round bars. Later on, the vertical bars are allowed to be either round or hexagon. It would seem that this specific description of tool proof steel must be given a meaning; it was not put in the specifications by the architect and the Inspector of Buildings to have no meaning whatever. It is very clear that it did have a definite meaning to all who bid on the work. I have heretofore filed in this case the affidavit of the Stewart Jail Works to the effect that if the five ply was not used they could furnish the work for \$10,000 or \$12,000 less, and that this was told to the Inspector of Buildings in the presence of Howard Meyers of D. M. Andrew & Co. I respectfully submit that no harm can be done by an adherence to the specifications. I further call to your attention the fact that the test made at the Ellicott Machine shops demonstrated that the bars of the Van Dorn Company, which are sought to be substituted, are not tool proof, for, with an ordinary file and saw, in a period of a little over thirty minutes, one-third of the bar was sawed through. The test also demonstrated that the hard substance of the five ply bar could not be penetrated at all. Therefore, an inferior article, even as demonstrated by this imperfect test, would be substituted if the Van Dorn material were taken.

While it is impossible to know exactly what it costs Mr. Van Dorn to case-harden his steel, you must not forget that the facts, which have not been denied, are that Mr. Van Dorn buys his steel as soft bars from the mills at about 1½ cents per lb., whereas the five ply bars, owing to the superior processes to which they have been subjected and to their complex character, cost about 4½ cents per lb. I am informed that the case-hardening usually consists of treatment of the steel in cyanide of potassium. Therefore I assert that, upon the evidence as produced in this case, it is sufficiently shown that the article sought to be substituted is a cheaper article. I also assert that a thorough test of the two steels, by competent experts, will demonstrate the wisdom of adhering to the five ply bars.

In the above I have largely addressed myself to the remarkable argument that the specifications have not been departed from in the