

The evidence of these witnesses is a vindication of the recommendation of the General Manager and of the Board's decision to sell in trade-mark lots. Nor, assuming that it had been practicable to dispose of the G.M.C.s in five lots, does it necessarily follow that a better price would have been obtained. The lots would not be evenly composed. Some contained all the wrecks and others had more of the shorter than the more popular longer wheel-base. One witness claimed that a better tender would probably be obtained from one man who could control the market than the aggregate of five tenders from five different purchasers, each of whom would be in competition with one another with what was at the time an uncertain market.

This aspect of the matter was not before the Board, but it is not without interest to mention it in passing.

In this matter also my finding is that the Board was justified in its action.

(c) In adopting the conditions that are contained in the conditions of tender which were put in legal form by the legal branch of the Public Works Department.

It was submitted that a longer period than nine months should have been fixed for clearing the park. No doubt in the light of after events a longer period would have been an advantage. But the question is not really whether a somewhat longer period might have affected tenderers, but whether the time fixed was so plainly short that it should not have been arrived at by an ordinary board of business men considering the question. The evidence and the circumstances do not warrant a finding that the time was so unreasonably short that no prudent board of business men could have reasonably agreed to it.

The next point is the description of Lot 4 in the conditions of tender :—

Approximately 200 tons of scrap metal and motor parts.

Warner's report shows that this consisted of—

SCRAP METAL AT SEAVIEW

United States Joint Purchasing Board did not supply surplus return for scrap metal. Under-mentioned details and figures submitted by Mr. W. P. Warner (Motor Vehicles Valuer) on 17/1/46 :—

100 tons front and rear axle assemblies 6 x 6.

1,500 disc wheels 20 x 5, 20 x 6, 16 x 5, 16 x 7, 5 and 6 hole and two piece jeep type 16", &c.

15 tons springs front and rear.

5 tons tire chains; quantity wire rope.

100 tons spares, scrap, ball and roller bearings, crankshafts, cast iron, steel, &c.

9 cases axle assemblies.

Quantity chassis frames bare.

The short description was quite inadequate as a description in view of the valuable nature of portion of the material and shows a lack of due consideration by the General Manager amounting to a lack of due care.

(d) In the advertising of the conditions of tender.

These were advertised in the daily newspapers throughout the Dominion, and there is no ground for criticism of the extent of the advertising or the contents of the advertisement except in regard to Lot 4, which, mentioned above, was inadequate to sufficiently inform possible tenderers, particularly those at a distance. In fact, the evidence shows that some local people made inquiries as to the contents of Lot 4.

This also was a lack of due care on the part of the General Manager.

(5) In recommending to the Minister the acceptance of the tenders of which acceptance was so received.