

1888.

NEW ZEALAND.

INQUIRY INTO CONDITION OF SEACLIFF LUNATIC ASYLUM BUILDING.

(REPORT OF COMMISSION.)

Presented to both Houses of the General Assembly by Command of His Excellency.

COMMISSION.

To all to whom these presents shall come, and to HARRY PASLEY HIGGINSON, of Wellington, in the Colony of New Zealand, a Member of the Institute of Civil Engineers; WILLIAM HENRY SKINNER, of Auckland, in the said colony, Esquire; and BENJAMIN WOOLFELD MOUNTFORT, of Christchurch, in the said colony, Esquire—Greeting:

WHEREAS a certain building has been erected for the purposes of a lunatic asylum, and the use and convenience thereof, known as the Seacliff Lunatic Asylum, in the Blueskin District, in the Provincial District of Otago: And whereas the said building was erected or purported to be erected under a certain contract bearing date on or about the eleventh day of September, 1879, made between Her Majesty the Queen and James Gore, contractor, of Dunedin, in the Provincial District of Otago: And whereas allegations have been made that the said building so erected as aforesaid, or a part thereof, is in an unsatisfactory condition owing to defects in the preparation of the site, or in the construction of the said building itself or a part thereof, and otherwise; and it is also alleged that, by reason of the premises, the said building is or may become dangerous to the lives of the persons resident therein, or otherwise unfit for occupation: And whereas it is expedient that inquiry should be made as to the truth or otherwise of the said allegations:

Now, therefore, I, James Prendergast, for and on behalf of His Excellency the Governor of the Colony of New Zealand, and as his duly-appointed deputy, in pursuance and exercise of every power and authority enabling me in this behalf, having confidence in your knowledge, ability, and integrity, do hereby, by and with the advice and consent of the Executive Council of the said colony, appoint you, the said

HARRY PASLEY HIGGINSON,
WILLIAM HENRY SKINNER, and
BENJAMIN WOOLFELD MOUNTFORT,

to be Commissioners, by all lawful ways and means to inquire into all and singular the allegations hereinbefore mentioned, and each of them, and in particular to inquire as to the present state and condition of the said asylum-building, and to ascertain whether there are any good grounds for the above-mentioned allegations; and, if so, to ascertain as far as possible the cause or causes of the unsatisfactory state and condition of the said building, or any part of it, and particularly as to whether the same arises either partly or wholly from the character or formation of the ground upon which the said building is erected, or partly or wholly from defective construction, or from bad or defective materials or workmanship having been employed therein, or from the architect's plans and specifications not having been adhered to in the execution of the works; and if it shall appear to you that the plans and specifications aforesaid have not been adhered to and complied with either in the damaged part of the building or any other part thereof, then you are as far as possible to ascertain whether the responsibility for the divergence from the provisions and requirements of the contract entered into for the erection of the said building rests with the architect under whose supervision and control the same was erected, or with the inspector of works who acted under him, or with both of them, or with some other person or persons. And I do direct that such inquiry shall be held at Dunedin, in the said provincial district, or at such other place or places within the Provincial District of Otago as may be found convenient and as you may appoint, and on such day or days and at such time and place as you may think suitable; and that before you commence the said inquiry at least three days' notice in writing of the day, place, and time on and at which you will be prepared to enter upon or proceed with the said inquiry shall be given to such person or persons as may in your opinion be affected by or concerned in the said inquiry. And I also direct that you may from time to time fix such days or times for hearing evidence and proceeding in the matter of the said inquiry as you may think fit, subject, however, to the terms of these presents; and also that you may from time to time adjourn, alter, or vary the days or times aforesaid, in