

853. Was the engine-shed standing there at the time?—Some of it was standing there.

854. The engine-shed?—Yes.

855. How far were you from the engine-shed?—We came through the foot of the engine-shed.

856. Did you find any filled ground there?—We found some concrete there.

857. Did you find any filled ground?—I could not tell that.

858. How far from the engine-shed was it you came across this filled-in ground?—I could not give a distinct answer.

859. You say where the ground slipped in upon you there was filled-in ground?—A little on the top: I do not know how much.

860. Now, I want to know from you how far it was from the engine-shed to where this slip occurred in the drain?—As near as I could tell, it would be four or five yards.

861. From the corner of the engine-shed?—Yes.

862. And there was filled-in ground there?—Yes.

On the question of the adjournment of the inquiry until the arrival of Mr. Brindley again coming up—

Mr. Gore said he was quite of opinion that Mr. Brindley should be present.

Mr. Lawson complained that the fact that Mr. Brindley had been summoned was wilfully kept back, and was not disclosed during the discussion of the question when the matter of Mr. Brindley's presence at the inquiry was first raised, and that it was only made known just as they were leaving the room, and after they had got up from their chairs for that purpose.

Mr. Blair said that he had purposely refrained from making the statement that Mr. Brindley was coming over to attend the inquiry, because Mr. Lawson seemed so virtuously indignant concerning Mr. Brindley's absence, and he allowed him to express his indignation. He acknowledged that for a time he had purposely kept back this information, but asserted that he made the statement some time before the adjournment, and that it was not made when they had risen from their chairs to leave the room, but a considerable time before that.

At this stage the Commissioners adjourned the proceedings for a quarter of an hour to consult together upon the question raised by Mr. Lawson as to whether no further evidence should be taken until Mr. Brindley was present.

On resuming the *Chairman* said: Gentlemen, the Commissioners have considered the matter very carefully, and, seeing that when the question of adjournment in consequence of Mr. Brindley's absence was previously brought up Mr. Lawson agreed to go on with the production of his witnesses, if Mr. Blair would first do so—

Mr. Lawson: No, I demur to that; I did not.

The Chairman: Mr. Blair protested that he should not go first, but waived the objection subsequently and agreed to proceed, on the understanding that Mr. Lawson and Mr. Gore should follow.

Mr. Lawson: Mr. Gore may have said so, but not I.

The Chairman: Any adjournment at this stage would, in the opinion of the Commissioners, be unfair to Mr. Blair, and place Mr. Lawson and Mr. Gore in no better position, as, should Mr. Brindley be in Dunedin, his presence would probably be objected to until his evidence is taken. The Commissioners have only to the end of the month to run, or six days after the probable date of Mr. Brindley's arrival, so that it is necessary that we should lose no time in proceeding to take all the evidence possible. Consequently the Commissioners ask Mr. Lawson and Mr. Gore to proceed with their evidence, as previously understood.

Mr. Lawson: I submit to your ruling under protest. [Copy of protest put in, and marked "13."]

WEDNESDAY, 15TH FEBRUARY, 1888.

The Chairman, addressing the representatives of the Press, said that up to the present point no evidence had been published, and before future evidence was published he thought it would only be fair that the evidence that had been taken, or a *résumé* of it, should be published, or otherwise the reports would be entirely misleading. So far as the evidence that had been taken had been transcribed it would be laid on the table, and the Press reporters would have access to it.

Mr. Gore said he thought it was reasonable to request that a summary of the preceding evidence should be given, and if it was not given, as the evidence he intended to call was intended to refute it, the proceedings would seem nonsensical, and his calling of evidence a waste of time.

The Chairman remarked that Mr. Blair's statement had been written out, that the reporters could see it, and that it contained a condensed account of the proceedings on his behalf.

ROBERT FORREST sworn and examined.

863. *Mr. Gore*.] Your name is Robert Forrest?—Yes.

864. I believe you have had considerable experience in building-contracts?—Yes.

865. And also for earth-contracts?—Yes.

866. You are an architect?—Yes.

867. Did you have charge of the Queen's Theatre during the time of its construction?—Yes.

868. I was contractor for that erection?—Yes.

869. Did you design and carry out by your own personal superintendence the Choral Hall, Moray Place?—Yes.

870. I was also contractor for that?—Yes.

871. Did you ever have occasion to find fault when I carried out work?—No.

872. It was done to your entire satisfaction?—It was done to my satisfaction.

873. I believe that you, in conjunction with Mr. Brindley, took the quantities of concrete-cement at Seacliff?—Yes.