

seriatim, so that the Commission can follow the subject readily. First, I stated that all the building operations were absolutely under the control of the Architect, Mr. Lawson, and that the Inspector of Works was absolutely and entirely under his control and direction. In support of this I pointed out the clause in the specifications, putting the matter beyond doubt. I also showed that the Public Works Department had no official communication whatever with Mr. Brindley with reference to the works; and I have also now, since Mr. Brindley's arrival, produced a letter in which Mr. Lawson reproves Mr. Brindley for having written to Mr. Ussher with reference to the quality of the cement. In that letter Mr. Lawson says: "Please remember that it is to me, and not to Mr. Ussher, to whom you are to address any letters with reference to the contract." In cross-examining Mr. Lawson, he insisted upon stating that Mr. Brindley was independent of him, and that he could act independently; whether he could pass work or make alterations or deductions without his authority, Mr. Lawson admitted that Mr. Brindley could not do so. He would not specify any point upon which Mr. Brindley could act independently; and he stated that, as a matter of fact, the department had not interfered with the building in any way. Mr. Lawson says that for the time being I was his superior. At the beginning of the inquiry I asked him whether he was in the habit of referring Mr. Brindley's letters to the department, and he replied, "No." Now, if Mr. Brindley had been my subordinate, with Mr. Lawson as the link between us, all the more important letters would be referred to me. As a matter of fact, no letters were so referred. Mr. Lawson dealt with them himself. He never consulted the department in any way; and, as he himself admits, the department never interfered with the work. I therefore submit, without fear of contradiction, that the first conclusion has been proved to be correct—that all the building operations were absolutely under the control of Mr. Lawson, the Architect, and that the Inspector of Works was absolutely and entirely under his control and direction. The next conclusion that I arrived at was that all the drains required by Mr. Lawson were put in, and very many more besides, and that they had little or no effect in stopping the damage to the building. I think it is scarcely necessary for me to point out that this conclusion has been amply verified. The plans that we have produced show that the ground at the back of the injured portion of the building has been cut up by drains in every possible way. There is not any part of the suspected ground which is not perforated at close intervals, either horizontally or vertically, by stone drains; so that, if the cause of damage was the overflow of water from the higher ground, that cause has been removed. That these drains have had no effect in stopping the damage to the building is, of course, apparent, for the damage is still going on. In connection with this part, I have shown that Mr. Lawson got all the drains that he asked for. Up to March, 1881, he asked for the isolating-drain; and after March, 1881, for three years he was perfectly silent on the subject of the isolating-drain; but in the meantime he asked for and got the surface-drainage, according to his own plans. Mr. Lawson's ideas changed after Dr. Hector's visit to Dunedin at the end of March, 1881; and this is borne out by Dr. Hector's statement in his report and his telegram to the Minister, which have been put in. As Mr. Lawson has repeatedly stated that he was unremitting in his attempts to have this isolating-drain, I pressed him for reasons why he should be silent on the subject from March, 1881, to May, 1884. I could get no answer from him for a very long time, and he ultimately retreated upon the position that the reason he did not bring the subject up again was because he did not want to offend me—that he felt indignant at not having received an answer to his letters (which, by the way, I have shown were answered); so that this reason vanishes amongst others. Now, is it possible that Mr. Lawson should meet me in friendly intercourse every week, frequently every day, for three years, with such a feeling rankling in his breast, without giving me some hint of it? I had no personal feeling in the matter whatever, and if Mr. Lawson had simply stated that he would not be responsible if this isolating-drain were not put in, it would have been done. Years after he now wishes us to believe that all this time he considered this drain necessary for the safety of the building. If that were the case, his clear position was to write to the Government and say, "Unless you give me an indemnity under the hand of the Minister I will not proceed with this building until the isolating-drain is put in." Mr. Lawson did nothing of the kind; he only went about for three years with this secret rankling in his breast, cherishing this feeling of resentment towards me; meeting me every day, and yet not allowing me to know of it. The position is altogether too absurd to be considered. It shows Mr. Lawson himself, to say the least of it, in a very ridiculous light. In no place and at no time did Mr. Lawson demand the construction of this drain. The only conclusion we can come to, and it was to some extent admitted by Mr. Lawson in his cross-examination, is that Mr. Lawson during these three years thought that it was highly probable that the isolating-drain would not be required, and therefore he said nothing more about it till the cracks appeared; but when they appeared he wished to throw the responsibility from his own shoulders on to the shoulders of some one else, and then he revived this long-lost story. Had the cracks never appeared we would never have heard anything of the isolating-drain, and Mr. Lawson would take the credit of having erected a handsome and substantial structure. From this I think that there is no doubt of the correctness of my conclusion, that all the drains required by Mr. Lawson were put in, and many more besides, and that they have had little effect, or no effect, in stopping the damage to the building. The next conclusion that I came to was that the damage to the building is not in consequence of a general movement of the hillside towards the sea, or from slips that have occurred in the neighbourhood, but that it is due to irregular settlement in soft ground. Mr. Lawson attributes the whole damage to the forward movement of the north wing, and he believes that it has moved 13in. at the front and 16in. at the back, and that it is still moving steadily forward. Now, I shall first take the evidence on Mr. Lawson's side. Notwithstanding the fact that he accuses the Public Works Department of suppressing information, he bases the most of his conclusions with reference to this big slip on the information given by the department. Mr. Hay found that the north wing was 13in. further down the hill than the southern portion of the building. In referring to this Mr. Lawson reiterated the statement that Mr. Hay