

found that it had gone down. I wish particularly to say that Mr. Hay did nothing of the kind. Mr. Hay found that one wing of the building was out of line with the other portions of the building; but he did not once say, or insinuate, or admit, that the building had moved down, his evidence being altogether in the opposite direction. When we found that the second wing was a foot uphill Mr. Lawson and Mr. Gore admitted at once that it was a mistake in setting out; but when we found that the north wing itself was a similar distance down-hill they would not admit the possibility of a mistake in that quarter. Now, the evidence on which they founded their case was simply this: that Mr. Gore stated that the building was correctly laid out in the first instance, and that he and Mr. Brindley took pride in the accuracy of the setting out. He also stated that they saw through the corridors from end to end. Although Mr. Brindley was summoned by me, and although I am accused of "coaching" him, apparently I could not coach him up to this point, for Mr. Brindley's evidence is against my contention. This I at once admit. Mr. Brindley states that he believes that blocks 1 and 2 were laid off in line. He does not assert that the north end of the building was in line with the south end of the building, but merely believes that the two northern blocks were in line. He also admits that there was a mistake of some 3in. in the south end of the building. On the other hand, he distinctly swears that he never saw through the corridor from end to end as alleged by Mr. Gore, junior. The north end of the building was not finished until the other blocks were occupied by the patients, so that they could not at any time see from end to end of the building; in fact, the officials who are in the building never saw through it until the other day, when Mr. Hay got the doors open right through. This is the evidence upon which Mr. Lawson believes that the whole building has gone down 13in. When cross-examined Mr. Brindley admitted that he did not use an instrument; that he could not use a theodolite; that he had no means of verifying the position of the building in the exact way that engineers or surveyors do. He also admitted that he did not know whether the back-wall had shifted down before the brickwork was built. Mr. Brindley, who had a level and could use it, though he had not a theodolite, was very much surprised when he found that the portions of the building which he believed to be perfectly level were very much out of level, so that in the matter in which Mr. Brindley was, presumably, in a position to talk with precision, we found that he was not correct, or that his setting-out was not followed. It is, therefore, fair to assume that in the other case, where his less exact methods were adopted, the same result might have ensued. That is all the evidence on the opposite side in favour of the big-slip theory. I shall now take the evidence against the big-slip theory. First, let us take the negative evidence. If the Commissioners would only take time to walk to Cargill Street, they will find there a remarkable instance of a big slip. About 100ft. of the hillside has moved just in the manner that this one is supposed to have done. The slip comes straight across the street, and the pavement is dislocated about 9in. at one end and 1ft. at the other, and the dislocation is as clear and as straight and as well marked as if it were done by an artificial mechanical force. We could not have a movement in this large building without seeing similar dislocations. There is one point on the plans in the ambulatory where all are agreed that the motion has commenced. This would be the point of dislocation; and at this point, instead of showing a break or displacement of 13in. or 16in., there is no evidence of cracking whatever. The same thing can be said of the water- and drain-pipes. The water-main runs along close behind the airing-court. It is under a high pressure—70lb. or 80lb. to the square inch—so that the slightest dislocation or movement in the strata would at once cause a leak. There has been no leak, and that fact of itself would, in my opinion, be sufficient to answer the whole question. There is also in front of the building a 12in. drain-pipe laid in cement-mortar. That drain-pipe, which is so easily broken, has not been broken and has given no indication whatever of any movement. It would have been utterly impossible to move that drain-pipe by a mere fraction of 13in. without at once breaking it and stopping it. Both the drain-pipe and the water-pipe were put in as the building was finishing. Another evidence against this big-slip theory is the fact that the north wing has shown no appearance of the movement, and that it would be utterly impossible to move a building 130ft. long endways without distinctly showing serious fractures. In fact, there is no force known in Nature that would give such a phenomenal result, and there is nothing on record that would lead to the supposition of the existence of such a force. So much as to what may be called the negative evidence against the big-slip theory. The positive evidence is equally clear. First, we have the evidence of Mr. Reid. Mr. Reid has particular charge of the building. His duty is to examine the building and keep himself informed as to what goes on in reference to it. He has been there from the very first, and, as you could see from the way he gave his evidence, Mr. Reid is a man who makes good use of his eyes. Mr. Reid, from the very first, had his attention drawn to this north wing, and he observed that the north wing was out of line. This was shortly after he went to live at Seacliff, and he went there in October, 1883. Mr. Reid has frequently looked at this part of the building with this special object, and he now swears that the building is in the same position it was when he first examined it. Now, the last proof that I have that the building has not moved is the best of all—Mr. Marchbanks' evidence. Fortunately, in February, 1884, Mr. Marchbanks made a survey in front of the building; he took bearings along this building, and he checked those bearings coming up from the opposite side on the 20th of this month. It was the most delicate test that could be applied, for he did not start from any point where there was the least likelihood of movement. He started from the triangulation of the country, his bearings being taken from the trig. station, down near Warrington, some miles away from the building. Mr. Marchbanks found that his new bearings corresponded with his old ones to less than a minute, and thus made the position of the north wing within 1½in. of what he had made in 1884, and this was made by an entirely independent set of observations coming over different ground, and from different points. It is impossible to get a more reliable and delicate test than this. We may therefore, once and for all, and absolutely, disregard the theory of the big slip. I stated in this conclusion to which I am now alluding, that the damage was due to irregular settlement in soft ground. I have proved that the damage was not due to a general movement of the