

The Commissioners passed the day revising their report, which was signed and sealed, and adjourned at 4.30 p.m.

The following documents were handed in as exhibits during the course of the inquiry:—No. 1. Plan of additional footings introduced. 2. Plan of large drains at back. 3. Plan of cross-sections of footings in north wing. 4. Memorandum from Mr. C. Y. O'Connor. 5. Mr. Brindley's letter-book. 6. Plan and specifications. 7. List of letters from District Engineer to Mr. Brindley. 8. Letter, Mr. Ussher to Engineer-in-Chief. 9. Plan of general drainage. 10. Longitudinal section on Drain No. 2. 11. Plan of section of prospecting-shaft. 12. Mr. Hay's report and plans. 13. Mr. Lawson's protest. 14. Measurement of concrete and brickwork (extra) (Gore). 15. Measurement of concrete by Mr. Gore. 16. Dr. Hector's report. 17. Contractor's final certificate. 18. Hay's plan of present position of building. 19. Three letters, Ussher to Lawson, A, B, C. 20 and 21. Letter-books by Mr. Lawson. 22. Letter, Blair to Lawson. 23. Public Works correspondence (put in by Mr. Blair). 24. Cross-section at slip. 25. Dr. Hector's report of 10th June, 1880, and correspondence on same. 26. Letter *re* cement and addressing correspondence, put in by W. N. Blair. 27. Tracing of north wing (back elevation). 28. Letter, Gore to Brindley. 29. Roll of plans made by Brindley. 30. Dr. Hector's second report, of 4th April, 1881. 31. J. B. Low's draft of final certificate. 32. Public Works Department measurement of concrete in foundations as per plans.

REPORT OF DISCUSSION WHICH FOLLOWED MR. LAWSON'S OBJECTION TO PROCEEDING WITH EVIDENCE BEFORE THE ARRIVAL OF MR. BRINDLEY IN DUNEDIN.

Seacliff Buildings Commission, Dunedin, Thursday, 9th February.

*Present*: Messrs. Higginson (Chairman), Skinner, and Mountfort.

On the Commissioners assembling,

*Mr. R. A. Lawson* intimated that he objected strongly to the Commissioners proceeding to take evidence in the absence of Mr. Brindley, who was as much a principal as any of the parties then before the Commission, he having been expressly referred to in the warrant appointing the Commission. Mr. Brindley was the appointee of Mr. Blair, and there was no person who could give such important evidence as he on the matters to be inquired into.

*Mr. Blair* denied that Mr. Brindley was his appointee in any shape or form. He was appointed at the special request of Mr. Lawson. He had received no instructions whatever from the Public Works Department, which looked to Mr. Lawson alone for the proper conduct of these contracts.

*Mr. Lawson* urged that, as Mr. Brindley's character and reputation might be at stake, he ought in common fairness to be present and hear the evidence from the beginning. Mr. Brindley had been gazetted as an officer of the Government.

*Mr. Blair*: That is an unfounded assertion.

*Mr. James Gore*: Mr. Brindley told me himself that he had been gazetted. It is very easy to obtain definite information on that point.

*Mr. Blair*: I should certainly like to start with a clear understanding on this point. I—that is, the Public Works Department—have had no communication whatever with Mr. Brindley with reference to the carrying-out of this work.

*Mr. James Gore*: Mr. Brindley will be able to speak as to that himself.

*The Chairman*: Was he the servant of the Public Works Department or of the Architect?

*Mr. Blair*: Of the Architect. If Mr. Lawson had complained of Mr. Brindley not doing his duty he could have been dismissed at once.

*Mr. Lawson*: I quite admit that.

*Mr. Blair*: Suppose I put myself in the position of His Excellency when he signed this Commission, which was prepared by the Law Officers of the Crown or by some other department, if I may make an invidious comparison—I issued the letter of appointment. Here I should like to ask Mr. Lawson a couple of questions: First, did he carry out the works under the instructions of the Public Works Department?

*Mr. Lawson*: Certainly.

*Mr. Blair*: Did he carry out these foundations or any portion of the work under the instructions of the Public Works Department?

*Mr. Lawson*: From me. I may say that I am not going to shirk any of my responsibility.

*Mr. Blair*: Then it was carried out under your instructions?

*Mr. Lawson*: Certainly.

*Mr. Skinner*: When the Inspector communicated with Mr. Lawson in reference to faulty work, did Mr. Lawson take his instructions from the Public Works Department and communicate these instructions to Mr. Brindley?

*Mr. Lawson*: I repeat that I do not want to shirk any responsibility in this matter. It is on account of Mr. Brindley's absence, and seeing that his name is mentioned in this record, that I urge that, from a consideration of fair-play, he should be here to hear all the evidence.

*The Chairman*: You acknowledge that Mr. Brindley acted under your instructions?

*Mr. Lawson*: Certainly—most decidedly.

*Mr. Blair*: Then why raise the point at all?

*Mr. Lawson*: Because he was never appointed by me.

*Mr. Blair*: The formal letter of his appointment was issued by me.

*Mr. Lawson*: That is all I want. But to tackle me with the responsibility of his appointment is simply absurd.

*Mr. Skinner*: The absence of one witness should not in any way retard the progress of this Commission, since we know that this witness can be obtained at some future time. I think that