

not say that I have. The Inspector and myself have been present plumbing the walls and doing work of that nature, showing the defects of the wall.

195. But no measurements have been taken at the ground-line—that is, the basement-line?—Measurements have been taken by Mr. Hay: he will be able to give information on that point.

196. *Mr. Lawson.*] Is Mr. Ussher aware of any part of the building where the foundations have sunk? Do you know of any part all over the building where there is a settlement of the foundations?—I believe all of the building with the exception—

197. It is not what you believe I ask you. He has been up there often enough?—No, I answer.

198. You do not know any part where there is a settlement of the foundation?—I have not taken measurements myself.

199. I ask if you know of any part. You can say so, yes or no?—There is every appearance of it.

200. Do you know of any part in the whole of the foundations of that building where there is a settlement?—That is the question to be solved.

201. I ask you a distinct question?—To the best of my belief there is settlement in the place under discussion.

202. I ask you if you know any part of that building where there is a settlement in the foundation?—In what way do you mean?

203. *The Chairman.*] I understand Mr. Lawson wishes to ascertain whether you have taken measurements, levels, or observations that enable you to state positively that there has been a settlement?—No, I have not taken them.

204. *Mr. Lawson.*] You are not aware of any settlement?—I have not taken the levels.

205. I am asking you another question. Are you aware of any settlement? It is a very distinct question?—If I am aware of any settlement?

206. Yes?—As I take it, that is what is to be now determined. I have no levels to show any settlement.

207. That is not the question I ask you. You can say “Yes” or “No,” surely?—If I have not any measurements showing it, how can I swear it is so?

208. Then you do not know: that is your answer?—I have no measurements to show.

209. That is not the question. I ask you if you know of any settlement of the buildings?—No; I have no measurements I can swear to to show it.

210. You know of none, then?

211. *The Chairman:* Mr. Lawson can ask are you aware of any. You are not positively aware of any, though you have suspicions.

212. *Mr. Lawson.*] That is what I ask—if you can put your fingers on any part of the building where there is a settlement of the foundations. That is a distinct question?—There is every indication of it, in my judgment, at the place under discussion.

213. You may choose not to answer it?—I will not swear to anything I do not know: you may be sure of that. I am on my oath, and will give evidence accordingly.

214. You are not aware of any settlement in the foundations?

*The Chairman:* The question is rather ambiguous. Mr. Lawson might put it in a different way. Mr. Ussher is aware—he has suspicions—but he is not certain.

*Witness:* I do say that.

215. *Mr. Lawson.*] That is the first time?—I said, the piece under discussion.

216. I am asking you now, at this moment, if you yourself are aware of any point in that building that you can put your finger on and say, “There is settlement there”?

*Mr. Blair:* That is, I respectfully submit, not the way to put it. The witness cannot say “Yes” or “No” to that.

*The Chairman:* He can say, “I have not taken observations to prove it.”

*Mr. Lawson:* That is not an answer to the question I am asking—if he knows the place where there is a sinking of the foundation.

*Mr. Skinner:* He might give a general answer; and say there are certain indications of settlement.

217. *Mr. Lawson.*] That is a wide answer. [To witness:] Surely you can say within yards or miles?—I submit that to answer the question put to me by Mr. Lawson is to answer the point the Commissioners are investigating.

*The Chairman:* Mr. Lawson’s question means, Can you state on oath that there has been settlement?

218. *Mr. Lawson.*] Can you put your finger on a place where there is settlement?—How can I do that?

219. You can go along the ground and see if there is a hollow or settlement?—Would you consider putting your eye along the ground superior to taking levels?

220. No?—Well, I have not taken levels.

221. You have been there many times during the building and you have been there often since, and you can say if you saw at any one point a distinct settlement. Did you see it, yes or no?—Any one point?

*The Chairman:* I think, if Mr. Ussher is not in a position to answer that—

*Mr. Lawson:* I am perfectly satisfied with his not being able to answer it.

*Witness:* I submit this: that I myself have not taken the levels to prove that, and therefore it would be wrong for me to give on oath an opinion on that point.

222. *The Chairman.*] Then why not say you are not in a position to reply?—I told him I had not taken levels to prove it, and the inference is plain that I could not put my hand on any particular spot.

*Mr. Lawson:* Very well, I am satisfied.