

256. I will ask Mr. Ussher to inspect this plan, and to say if there is a drain going through the wall there. Does the plan you produce show a drain going through near where you found this?—A 9in. drain is shown on the map.

257. It goes right through the wall?—Yes. I contend that the sketch does not bear Mr. Gore's contention out, that it was broken by the Government.

258. *The Chairman.*] Will you explain where No. 10 is. He alludes to some No. 10?—No. 10 is the centre of the north block.

259. Does the drain go through the centre of the block at some point?—It is shown on the plan. At what level it goes through I do not know.

260. *Mr. Gore.*] Mr. Lawson put a question to you as to whether you knew of any vertical settlement in the building. I wish to ask you this: You looked to find out the defects in the building. How did you examine the building to find out the defects?—After putting in the drains.

261. I will ask you this question: Did you notice any window-sills out of line, as though there had been a vertical settlement?—No, I do not know that I did.

262. If there had been vertical settlement to any extent would not that have caused the window-sills to be out of line?—You cannot tell very well looking at it by the eye; you must apply the level.

263. *The Chairman.*] I think Mr. Ussher has not made many exact observations himself?—No.

264. *Mr. Gore.*] I did not know whether he might not have examined it himself?—No. These examinations extended over a considerable period. I did not make them myself.

265. I should like to take you back to the commencement of the building. You remember being up there one day with Mr. Brindley and Mr. Lawson, discussing the question of moving the site?—It was discussed, yes.

266. Do you remember my suggesting to you that it should be removed 2 chains further south than it is at present. Perhaps I may refresh your memory by this: You said something about moving the district road. You remember it was moved 5 chains. Do you remember my suggesting it should be moved 2 chains still further south?—I could not say. I had no personal interest in it. I am aware the building was moved 5 chains further south, but I could not say I heard you remark it should be removed other 2 chains.

267. Do you remember anything being said by yourself that the district road would have to be removed and its removal gazetted. If the building was moved 2 chains further it would necessitate the moving of the district road?—This is a conversation?

268. This was a conversation on the ground. There is nothing in this, but I wish to show that I had doubts about the ground?—I cannot deny anything Mr. Gore states now. This conversation probably took place, but I have no recollection of it. The old road was quite close to the building, and the asylum people certainly considered the road should be put further away from the building.

269. You do not remember saying, if the building was moved 2 chains further it would necessitate moving the road?—No, but it certainly would have done so.

270. *Mr. Blair.*] With reference to this question of settlement, if you were to take levels, is there any point you could be sure of to start from?—No; there are none of the old bench-marks that I am aware of on which the building was set out.

271. Were there levels taken after the building was built, before any settlement took place?—Before it?

272. Were there any levels taken of the building as it was built, before settlement took place?—None that I am aware of.

273. Supposing you had found that that building was down $\frac{1}{2}$ in., could you swear that that was settlement if you had nothing fixed?—No; you must take one portion of the building to condemn the other. You must only assume a datum to start from.

274. As a matter of fact, has the building been correctly set out in line, we will say?—I think not.

275. *The Chairman.*] Who made the cross-section of the ground before excavation?—It was made by an officer of the department.

276. And to what datum did he work?—Well, he would assume a datum of his own, and work round all levels to it.

277. Then the levels were not connected with the railway datum?—No.

278. Any bench-mark there?—Not that I am aware of.

Mr. Blair: Unless we had a bench-mark on the building it would not be of service. We do not know that the building has been erected to the levels shown upon this drawing.

279. *The Chairman.*] No, but the levels on the drawings seem to have been referred to. Was there ever a bench-mark or anything there?—The site of the building was set out in accordance with a rectangular base-plan, cut up into smaller rectangles. As far as I understand, there was an assumed datum or bench-mark, and that bench-mark would be transferred to others in the neighbourhood. All these were in existence, but as the ground got cleared these bench-marks vanished. None of them were connected with the bench-mark on the railway.

280. You do not think any of these bench-marks could be discovered?—No. [General plan of drainage put in by Mr. Blair, and marked "9."]

MONDAY, 13TH FEBRUARY, 1888.

Mr. E. R. USSHER recalled and examined.

281. *Mr. Gore.*] You heard in Mr. Blair's statement—I cannot call it evidence—a letter read from Mr. Brindley, in which it was stated that I was using cement that I had no right to use?—Yes, I heard that.