

Martin's body was found would be about 10 ft. lower than the highest portion of the drive. I believe just inside the door was the highest point of that portion of the section where the body was found.

"By Mr. Napier: Up to this occurrence I considered this mine to be a safe mine to work, with the exception of the finding of the small quantities of gas that were found and the coaldust.

"Q. In your letter of the 25th August you state that in the event of a certain contingency happening in the future it may be necessary to insist on the use of safety-lamps: had that contingency happened prior to the accident?—A.: No.

"By Mr. Tunks: My letter of the 30th May was written after an inspection made by me in company with the check inspectors.

"By jury: There are not many large falls in the old workings.

"Q. Do you consider it a safe system to allow the old workings to fall in and allow the falls to remain there?—A. Sometimes the debris has been on fire when turned over to allow the gases to escape. Fires will not recur there. I am aware that the four old mines in or about Huntly have been on fire. As soon as there were signs of heating the falls should be removed. Unless the heap is more than 3 ft. deep it rarely catches fire. I think where any special danger is noted on the visit of the examining officer to the old workings that they should be visited oftener than once a week.

"By Mr. Tunks: I was aware of the system of examining the old workings. It took a week to go round.

"By Coroner: I am satisfied that the ventilation of the old workings was sufficient, but there may have been odd corners in which the air may have been a little warm. That is sufficient to clear away any ordinary accumulation of gas. In addition to the return air there are 7,000 cubic feet of air per minute going into the old workings in the old dip."

2. Mr. Wilford.] Of course you realize, Mr. Bennie, in a Commission of this kind that if there is default on the part of the management of the mine it is equally your fault?—I am not aware of that.

3. You realize that you are an overseer?—No, I am the Government Inspector of Mines, whose duty it is to see that the work is carried out in accordance with the provisions of the Coal-mines Act and Regulations.

4. Is not the Government Inspector of Mines an overseer?—No.

5. He has to oversee?—That is splitting straws.

6. You have to oversee the mine and give directions if you think something requires remedying?—On my examination of the mine, if anything is contrary to the provisions of the Coal-mines Act and Regulations, then I draw the manager's attention to it or ask permission to summon him.

7. If you find anything out of order?—No, sir, I cannot have that: unless contrary to the provisions of the Act and Regulations.

8. Now, I have a few questions I want to ask you, and I want you to think carefully before you reply, because they are very important. Have you reported all ignitions of gas by which persons received damage, to the Inspector?—To whom?

9. Whom do you report to?—Any serious accident is reported to the Under-Secretary.

10. I will modify my question: have you reported all ignitions of gas by which persons received burns immediately in writing to the Under-Secretary of Mines?—The Coal-mines Act requires that in cases of serious accident the mine-manager shall notify the Inspector, and the Minister, and the workmen's inspector.

11. Have you reported all ignitions of gas by which persons received burns immediately in writing to the Under-Secretary?—No, sir, I have not.

12. You have not reported all ignitions by which persons received burns immediately in writing to the Under-Secretary?—No.

13. Have you reported any of them?—Yes.

14. Have you got copies of all the reports you have made?—Yes, sir.

15. When did you first report to the Under-Secretary the burnings by ignitions of gas of David Conn, William Willcox, and Arthur Ruston?—I never reported them, because they were not serious.

16. Am I correctly stating the date of the burning of David Conn as the 16th February, 1912?—Conn and Willcox were working in the Extended Mine.

17. Were the injuries to Conn dated the 16th February, 1912?—D. Conn, 16th February, 1912; William Willcox, 26th March, 1912.

18. Arthur Ruston, December, 1913?—I have no idea.

19. We have got it that you did not notify those three cases to the Under-Secretary?—That is perfectly correct.

20. Were you notified by the manager at the time of those burnings?—I could not say positively whether I was or not.

21. Is it not a fact that you never received any notification at all of those three burnings at the time of the burnings? You say you do not know?—I cannot remember.

22. You remember writing a letter on the 8th January, 1914, to Mr. Fletcher?—Yes. [Letter produced and read, as follows.]

"Inspector of Mines Office, Thames, 8th January, 1914.

"*Accidents by Powder-explosions and the Ignition of Firedamp.*

"WILL you be good enough to forward me at your early convenience a list of the persons burned by the explosion of powder and also the ignition of firedamp during the past two years, together with the dates of the accidents. An early reply will greatly oblige.

"B. BENNIE, Inspector of Mines.

"James Fletcher, Esq., Manager, Taupiri Mines (Limited), Huntly."