

230. And in the same letter you stated that even although you were not able to get a conviction against the management, it might have the effect of making them provide a more strict supervision than that which had taken place previously?—I do not know that.

231. You say "to prosecute them for a breach of the Special Rule 14 in Kelly's case will at least have the effect of producing stricter supervision"?—Yes.

232. Then if it were the ignitions of gas which were causing you anxiety, and not the supervision, why should you seek to obtain stricter supervision by prosecution?—Prior to the burning of Kelly, or immediately afterwards, some pieces of rag got into an air-pipe and so interfered with the ventilation. If stricter supervision had been provided that would have been detected earlier.

233. Surely that was a minor thing?—No, because a miner was burnt.

234. But that was only one circumstance?—Well, about that time immediately after the burning of Kelly, I demanded that all shots should be fired by officials appointed under section 25 (d) of the special rules. That would mean stricter supervision, because it would provide against the danger of a blown-out shot.

235. That is so: but at the same time you admit that the mine was, comparatively speaking, a safe one, with the exception of the coaldust. But you say that you do not recommend the introduction of safety-lamps owing to the height of the workings?—Yes, the working-places are from 10 ft. to 18 ft. high, and the light from a safety-lamp is very poor; consequently if safety-lamps were to be introduced there would be a great increase in the number of accidents to miners, and serious accidents if not fatalities, as the result of defective lighting. The safety-lamps would be damaged and the end in view defeated.

236. How would there be more fatalities—by falls from the roof?—I think I explained that yesterday. With places 18 ft. high no person can stand on the floor and examine or work to that height; most men cannot reach above 7 ft. With imperfect lighting the dangers would be increased.

237. You are aware that seams are worked as high in Wales as they are here?—I have never been there.

238. And in America higher?—But they have a great many fatalities there.

239. The main thing which you wanted to secure by a prosecution was stricter supervision?—Yes; the manager had one underground manager and he had also several other capable men under him, but under the special circumstances I desired him to provide a further supervision. He had one first-class man, and in a large mine such as this I thought he should have two.

240. You spoke yesterday about the dust in the travelling-roads: was your complaint on account of the disagreeableness to the men travelling?—Yes, and because of the elements of danger from an explosion if the dust were ignited, though the danger would not be so great in the travelling-roads as it is in the working-places. There is seldom carburetted hydrogen to be found on the travelling-roads. Further, I have never heard of any shot-firing on the travelling-roads: therefore there was no chance of blown-out shots in the vicinity of where the dust was. The primary object I had in view was the inconvenience to the men caused by the dust.

241. In what manner would it be an inconvenience to them?—They would be breathing the coaldust when travelling along the roads.

242. The dust was sufficiently fine to be raised when the men were travelling?—Yes; that was prior to the disaster and before the road had been watered, and that was the most dangerous part.

243. Did the men fire their own shots?—I was informed by the manager that my instructions regarding the appointment of shot-firers had been carried out, but from something I heard and from evidence given at the inquest I am afraid that that was not so—or, at any rate, all the shots were not fired by the shot-firers.

244. You had been misled?—That is the position.

245. What do you mean by that?—At the inquest one witness, in answer to my question on the subject, said, "So far as me and my mate are concerned, we fire our own shots."

246. During your inspections of the mine since the explosion did you discover any ladders in the working-places?—I was only in one working-place—in No. 5 section, where we believe the ignition took place which caused the disaster. These places are not excessively high—perhaps 10 ft. or 12 ft. We saw one ladder, but it was broken, and whether that was the result of the force of the explosion or whether it had been in that state before the explosion I am unable to say. A ladder would not be much use there except for examination purposes.

247. Referring to your letter of the 7th August, where you make reference to receiving no assistance during the last two years from the Miners' Union, you say also that the union or their check inspectors are as at present constituted the creation of the mining company's directors. When Mr. Newton examined you upon this point you said that you intended that to mean a general statement, and might even refer to the Northern Company at Whangarei?—Yes; I meant to convey this impression: that the unions on the dates referred to had been established after the industrial strikes, and were what were called "break-strike" unions. The check inspectors appointed by these unions showed no disposition to assist me in regard to improving unsatisfactory conditions in the mine. When I wrote that memorandum I had in my mind one case which I brought against a mine-manager at Hikurangi, Mr. W. R. Dunn. When I asked the union there to supply me with a witness I found that I dare not call him because his evidence would have been against me and in favour of the manager. He was in an intoxicated state and I could not call him, whereas the mine-manager had his officials present, and also some miners, who gave evidence on his behalf. Although I had a good case I could not secure a conviction because I had no witnesses.