

421. There is nothing extraordinary in his not predicting it to you?—No.

422. You realize in this inquiry that if Mr. Fletcher is to blame, you are?—No, I do not.

423. You are Inspector for the district?—Yes.

424. And you have got to see that that mine is properly worked?—To see that it is run according to the Act and the regulations.

425. Therefore if it is shown that Mr. Fletcher did not run the mine according to the Act and regulations, are you not to blame?—No.

426. You do not realize, then, that if Mr. Fletcher has failed to run the mine according to the law, then you have failed in your duty?—No, I do not know that. It means that he has failed.

427. And yet you are the Inspector who has to see the law carried out?—Yes.

428. You said that the lamps which Mr. Reed had given you, and which you brought down in the train, had leaked?—Both of them did.

429. Do you know that it is a fact that Mr. Wood and Mr. Duncan have been using these same lamps in the mine since?—They have been recharged.

430. At any rate, do you know that those two lamps which you have been making so little of have been used by Mr. Duncan and Mr. Wood?

[Mr. Wood interjected that he used one of the lamps, but Mr. Duncan did not.]

431. Well, do you know that Mr. Wood used one?—No, I did not know that.

432. In regard to the question about monobel, you believed that monobel was a permitted explosive?—From what Mr. Bishop said to me in the presence of Mr. Fletcher I accepted it as a permitted explosive and added it to the list.

433. Then you did not know that monobel with a numeral was a permitted explosive, but that monobel without the numeral was not?—I had not a list of the permitted explosives: Mr. Reed lent me his.

434. Then you did not know?—I did not know.

435. You were misled?—I was misinformed.

436. And misled?—Misinformed.

437. When you are going to inspect a mine do you send a telegram to say you are coming?—Once or twice I have done so, when there was a serious or fatal accident. I send word to the manager and the miners' inspector.

438. *Mr. Macassey.*] When you took Mr. Miller's opinion you prepared a statement of the facts upon which you asked his opinion: did you also see him personally?—Yes.

439. And what further facts did you lay before him?—That I had discovered gas in No. 7 south and No. 7 north, which was adjacent to the scene of the accident, and that on the morning of my inspection, after the accident, it was reported to be all clear by the examining officer, but Mr. Fletcher and I found a trace of gas over the timbers, although there was a sufficient current of air sweeping through the drive.

440. *Mr. Dowgray.*] I think you stated, Mr. Bennie, that you discovered gas three times in the old workings during your inspections this year?—Yes.

441. I believe you visited this mine eight times this year?—Six inspections, and two visits to the office to get some information for reports which I wished to make.

442. On one occasion you made two inspections: they occupied you two days?—Yes.

443. How many times did you visit the old workings in the course of those six visits to the mine?—Two or three.

444. So that on each visit to the old workings you discovered gas?—No, in several places where I was.

445. You told the Commission that you discovered gas in the old workings three times?—Yes.

446. And that it was removed afterwards?—Yes. [Witness refers to diary and explains same to Mr. Dowgray.]

447. On the 2nd July you visited the south side of No. 7 and found gas there; on the same day you visited No. 7 north and found gas again; in the Little dip section, old workings, you could find no trace of it. Out of three places, then, in the old workings you discovered gas in two places?—Yes.

448. On the 14th July, in No. 7 south, you found gas in the same place where you had previously discovered it?—Yes.

449. On the other visits, apart from these, you found gas recorded in the mine report-book?—Yes.

450. On the 24th August you report gas again in connection with Kelly's case?—Yes.

451. That is, on every visit you have made to the old workings during this year you have discovered gas in some place or another?—Yes.

452. And you have only visited the old workings twice?—Yes, according to my diary.

453. In regard to your reply to Mr. Napier as to whether Mr. Reed had officially communicated with you, did he unofficially communicate with you in regard to this mine at any time during this year?—No, I cannot say that he communicated with me in reference to the working of the mine.

454. In regard to the dangerous nature of the mine and the conditions as to safety-lamps?—Earlier in the year, when he asked me to get a report from Mr. Fletcher. I now say that we had a conversation in reference to that, and that with my personal knowledge of the mine, and in view of the fact that I was the responsible officer and had no authority to accept instructions from him, I preferred my own judgment.

455. You said therefore that in your opinion there was no occasion for alarm in connection with this mine?—I thought so.