

537. I am speaking to you?—I have reported six times that your mine was highly dangerous, and mentioned the necessity for permitted explosives, and the Inspector of Mines would be aware of the condition; he would carry out his duty, no doubt, to the best of his ability.

538. I assume that you, believing the mine to be dangerous, desired to remove those dangerous conditions?—With all the power that I had.

539. And upon that assumption did you ever officially report that conditions other than those contained in the Act should be observed regarding the explosives used?—Yes, read my letters, and you will see that I say, "The manager should be forced to become aware of his responsibility," and so on.

540. What has his responsibility to do with explosives?—I referred to his responsibility all round in connection with the matter.

541. Do you understand my question?—This is my letter to the Under-Secretary dated the 27th June in regard to the matter: "The Inspector of Mines, Mr. Bennie, in his monthly report hereunder for May reports that firedamp and fine coaldust exist at the Taupiri coal-mines. These are the conditions which occasion colliery disasters. Ignitions of gas causing men to be burnt have been reported from these mines lately. The Royal Commission on Mines, 1911, recommended amendments and additions to our Coal-mines Act to provide for better ventilation, laying coaldust, safety explosives, safety-lamp regulations, &c.; our Act is generally obsolete, being based on a British Act long since repealed. If a disaster occurs as a result of an inadequate law the Inspection Branch of the Department cannot be held responsible; the Brunner and Kaitangata disasters cost a hundred lives. It is the unexpected that happens." That is my answer to your question, in addition to my letter of the 29th July to the Under-Secretary.

542. There you are referring to the provisions of the Act, and you state that the Royal Commission reported on the subject. Now, did you at any time suggest that conditions should be imposed under the powers of the existing Act as far as the use of explosives in this mine was concerned?—I have made adequate representations right through in connection with this mine, as you will see by my letters. I have done more than my duty in drawing attention to the dangers of this mine, including the use of unpermitted explosives.

543. That is, generally?—I have gone sufficiently into detail.

544. Did not you write to the Under-Secretary requesting that the Inspector of Mines be instructed to insist upon the use of safety-lamps and permitted explosives in these mines?—Yes, on the 29th July, in the letter which has already been read.

545. Then, you did believe that you had power under the existing law to compel the use of permitted explosives?—I; no, I am the Inspecting Engineer, and have no power. I think still that under section 56 the Inspector has not the power to enforce it without arbitration.

546. You have the power to order the use of such explosives and safety-lamps, and if the order is not complied with the matter may be submitted to arbitration; did you contemplate exercising that power?—As Inspecting Engineer I had no power to do such a thing, and I did not do it.

547. At the present time, with the exception of Kaitangata, are not all the mines in New Zealand using the same kind of explosives as are being used here?—Kaitangata and those at Huntly are the only gaseous mines, to any extent, that I know of.

548. My question was: At the present time, with the exception of Kaitangata, are not all the coal-mines in New Zealand using the same kind of explosives as are being used here?—No, they are not all using the same kind of explosives.

549. The same kind as Taupiri? Is any mine except Kaitangata using safety explosives?—I do not think Kaitangata is using safety explosives.

550. You have ordered that such explosives be used in Kaitangata?—I have recommended it.

551. And your recommendation has not been complied with?—It has been made only recently—since this disaster.

552. Are any of the coal-mines in New Zealand using these permitted explosives?—Not to my knowledge.

553. Do you consider it dangerous for mines to use explosives other than English permitted explosives?—Yes, where gas exists, or where there is inflammable coaldust present. I agree with the English Act, which enforces the use of permitted explosives.

554. And I suppose that coaldust to a greater or less extent exists in all the coal-mines in New Zealand?—No, not dangerous coaldust.

555. I did not say "dangerous"?—I did not say you did.

556. Have you ever attempted, so far as explosives are concerned, to exercise the powers conferred by section 56? I will read it to you: "If in any respect (which is not provided against by any express provision of this Act, or by any Special Rule) any Inspector finds any mine, or any part thereof, or any matter, thing, or practice in or connected with any such mine, to be dangerous or defective, so as, in his opinion, to threaten or tend to the bodily injury of any persons, such Inspector may give notice in writing thereof to the owner or agent of the mine, and shall state in such notice the particulars in which he considers such mine or any part thereof, or any matter, thing, or practice, to be dangerous or defective, and require the same to be remedied; and unless the same be forthwith remedied the Inspector shall also report the same to the Minister." Has any notice been given prior to this disaster to any mine in New Zealand to discontinue the use of explosives except the English permitted explosives?—Notice given by whom?

557. By the Department?—We have several responsible Inspectors; I cannot state everything they are doing.

558. You are the editor of the reports of the Inspectors, and though you are responsible for the Department's report to Parliament you cannot say whether any such notice has been served upon any