

other company in New Zealand?—I do not remember any notice being given regarding permitted explosives before this disaster.

559. In the absence of any such notice from the authority responsible for the administration of the law, would any mine-owner be justified in continuing to use explosives other than those on the permitted list?—Yes, until he was notified by the Inspector to discontinue them.

560. And if a mine-owner objected to conform to such a notice you are aware that under section 57 the matter has to be referred to arbitration?—Yes, that is so.

561. And no notice was ever given, according to you?—Mr. Bennie gave your company notice.

562. When?—About ten days ago.

563. You tell us that until this disaster no notice was given in New Zealand under section 56, so far as explosives are concerned?—During the past eight years, to my recollection, no.

564. And therefore it follows that there was no arbitration under section 57?—Not on explosives.

565. I think you said yesterday, in answer to Mr. Wilford, that you had no power as Inspecting Engineer to enter a mine, and that in order to get the legal power you had to be appointed an Inspector of Mines without a district?—That is so.

566. Are you aware that under the Coal-mines Act, 1908, the Inspecting Engineer of Mines has power to enter any coal-mine?—It would be 1907, when I was appointed and gazetted.

567. The *Gazette* has nothing to do with the law. You told us that in order to get the power to enter any mine you, as Inspecting Engineer, had to be gazetted an Inspector of Mines without a district?—That is correct.

568. And, that being so, the Department gazetted you?—Yes, and the Act was passed the year afterwards.

569. The 1908 Act was a consolidating Act?—Yes.

570. Do you suggest that this section was not in the Act previous to 1908?—I believe that it was not. I do not remember all the dates of these amending Acts, but I will say that I was gazetted an Inspector of Mines to give me authority to enter any mine. I believe that section was not on the statute-book then.

571. Then, for the last seven years, irrespective of your office as Inspector of Mines without a district, you had ample power as Inspecting Engineer, to visit any mine?—For my duties as Inspecting Engineer, but not in the capacity of Inspector of Mines of a district.

572. Section 65 of the Act says: "The Inspecting Engineer or any other officer of the Mines Department duly authorized in writing by the Minister may enter and inspect any mine"?—But section 23 states that an Inspector of Mines shall have a district.

573. If you were authorized by the Minister you could go into any mine in any district in the Dominion?—Suppose I went to a mine and the manager peremptorily refused me admission, it would be awkward if I had to stand about the mouth of the mine until I received a letter or a telegram from the Minister authorizing me to enter the mine.

574. Could you not get a note from the Minister and keep it in your pocket for general use?—Refusal is an unusual thing.

575. Should you not take care to fortify yourself with all proper authority?—The only question I have ever heard raised was at Kaitangata.

576. You told us yesterday that these what you termed explosions of gas in this mine prior to the accident were wilfully concealed by these deceitful people who control these mines. Do you then contend that those emissions of gas ought to have been reported under section 62?—Yes, I do so. Willcox, who was burned, was away for three weeks; that was a serious accident, and should have been reported.

577. Do you consider that the same applies to Kelly's case?—Yes.

578. To Conn's case?—Yes.

579. They should have been reported under section 62?—Yes.

580. Wherever there is an emission of gas at the face, or in a working-place, and the gas ignites and a man burns his finger, you would say that it was a case that ought to be reported under section 62, even where no explosion in the proper sense of the term follows?—If a man only burns his finger I do not consider that a very serious thing, but coupled with the fact that it was an ignition of gas likely to create a holocaust in the mine, that should render it sufficiently important to warrant it being reported.

581. Do you say that the ignition of a small quantity of gas which would be sufficient only to burn a man's finger would be likely to create a holocaust in a mine?—It might, because that man's finger might be just at the extremity of the explosion. This is an extreme question, and I can only give you an extreme answer. It is possible.

582. Then, assuming that your answer is correct, you do not agree with the statement that a violent concussion is necessary, in addition to an intense flame, to cause an explosion?—You are mixing up two things. First of all, it is possible to cause a great explosion without a concussion—that is, a pure gas and air explosion. The concussion is only necessary for a dust and gas explosion.

583. When you were referring to a holocaust you referred to a gas-explosion alone?—Your question was put to me in such a form that you excluded coaldust, and I considered it from the gas point alone. If it is gas alone, there is no need for a concussion.

584. Then a holocaust would take place under given circumstances without concussion?—Yes, if there was no coaldust present and gas is present in sufficient quantity.

585. If there was coaldust present the probability of a holocaust would be greatly increased?—Yes, of course.

586. You are conversant with the provisions of section 52 of the Coal-mines Act [witness reads section referred to]. Are you still of opinion that ignitions of gas in connection with which men may