

EXHIBIT T.

DEAR SIR,—

Taupiri Coal-mines (Limited), Huntly, New Zealand, 9th July, 1914.

I have to report that William Kelly, a contractor, was slightly burned about the chest through an ignition of firedamp in Ralph's Mine at 10.30 a.m. this morning.

It occurred in the stone drive that is being constructed for regrading the haulage-road. This drive was only connected yesterday by the two ends meeting, and a good current of air was flowing through.

It appears from a statement made by Kelly that he went back for a drink, and in the act of doing so he lighted up the gas that had collected suddenly, because previous to this he had been three times to the same place for the same purpose and all was clear.

Two or three days will make Kelly fit again.

The Inspector of Mines, Thames.

Yours faithfully,

JAMES FLETCHER, Manager.

EXHIBIT U.

DEAR SIR,—

Taupiri Coal-mines (Limited), Huntly, New Zealand, 4th June, 1914.

I beg to acknowledge your letter of the 30th ultimo, regarding your inspection of Ralph's Mine on the 19th and 20th ultimo, and your remarks thereon have been noted.

I am, &c.,

Boyd Bennie, Esq., Inspector of Mines, Thames.

J. FLETCHER, Manager.

EXHIBIT V.

The following is a copy of a memorandum left in the mine-manager's (Mr. Fletcher's) report-book on the 2nd July, 1914.

2nd July, 1914.—To-day, with the underviewer, Mr. Gowans, I have examined several places in the Ralph's Mine, especially two places in the main dip, old workings, off the main haulage-dip road behind the haulage winch, near Doolie's (I think it is called No. 7), and found gas there in both places. In one the area would be 144 cubic feet by 1.5 ft. high, full of gas equals 212 cubic feet of gas; in the other place an amount of gas equal to between 200 and 300 cubic feet.

In the little dip section old bords, three places, falls where gas had been found by Deputy D. Wear and reported, we found no trace of CH₄ gas. Coaldust on the travelling-road main dip found in dangerous quantity; the dust should be adequately watered. No. 6 level district leading to Taupiri West, coaldust in dangerous quantity on my previous visit.

In view of CH₄ gas being found in the mine, this dust should be removed or watered, and all shots fired by officials appointed for that purpose.

B. BENNIE, Inspector of Mines.

EXHIBIT W.

STATEMENT OF CASE FOR OPINION.

27th August, 1914.

ON the 9th July ultimo a miner named William Kelly was burned by an ignition of CH₄ gas in the Taupiri Coal Company's mine.

The examining deputy reported finding gas in Kelly's working-place on the 1st July ultimo, but on each succeeding morning up to and including the 9th July (date of accident) the examining deputy reported the place clear (safe).

The Coal-mines Act, 1908, section 60, states: "Accident in mine *prima facie* evidence of neglect."

Special Rule 14, Second Schedule, Coal-mines Act, 1908, states: "The underviewer, under the direction of the manager, shall see that locked safety-lamps are used and naked lights excluded wheresoever and whensoever danger from firedamp is apprehended."

The manager did not order safety-lamps to be used, and Kelly was using a naked light.

Under the above circumstances, Is the manager guilty of a breach of Special Rule 14, Second Schedule, Coal-mines Act, 1908?

B. BENNIE, Inspector of Mines.

Mr. E. N. Miller, Barrister and Solicitor, Thames.

EXHIBIT X.

DEAR SIR,—

Thames, 1st September, 1914.

We are asked to advise you, with reference to an accident which occurred in the Taupiri Coal Company's mine on the 9th July last, as to whether the mine-manager was, in respect of the circumstances of such accident, guilty of a breach of Special Rule 14 in the Second Schedule of the Coal-mines Act, 1908.

The material facts are that on the date in question a miner named William Kelly, who was then using a naked light, was burned by an ignition of CH₄ gas; that the examining deputy reported finding gas in the place on the 1st July, and on each day subsequent to the 1st up to and including the 9th July (except Sunday) the examining deputy reported the place clear and safe. The material