

It stands to reason that when a man has been fifty years underground it is of no use saying that he has not the disease. I have known miners to get the disease in from three to four years. It may be that some men have the luck of working in decent places. Vosper had fifty years underground, and Dr. Cole's certificate is strong evidence that he has the disease. When Vosper was turned down the people of Waihi thought it was time to move in the matter, because they could not understand the position. Against the medical evidence they are satisfied that Vosper has the dust.

4. In what part of the West Coast did he work?—He worked in the copper-mines in Nelson in 1878, and followed on at Lyell. He was there for ten years. Then he had a period at Broken Hill from 1889 to 1905, and from 1906 to 1929 he worked for the Waihi Gold-mining Co. For the whole fifty years he was underground.

5. *Mr. Bodkin.*] Has he any dependants?—Yes, a daughter and a son; but the son is only a young fellow, not working at present—just about old enough to begin working now. The daughter is his housekeeper. In the case of Thorburn, he is set down as seventy-two years of age, and started mining in 1898—started in a battery at Waihi, in the days of dry crushing. I do not think there is another man living to-day who worked in the dry-crushing batteries at that time. Thorburn worked in the battery most of his time—in the later years at the Waihi Co.'s battery at Waikino, where he has been engaged in repairing stamps. That work keeps him in the dust practically all the time. No matter how you try, you cannot control all the dust. Thorburn has been engaged in these dusty occupations for thirty-one years. For part of his time he was filling trucks from the Grand Junction Co.'s hoppers, and there he would get a fair amount of dust. You can hardly avoid it.

6. *Hon. Mr. Veitch.*] Does that mean that under the present law this man is entitled to a pension—that he might contract the disease through working at a battery?—Yes; he is entitled to the pension. The Auckland medical opinion is not that pneumoconiosis was not the cause of his disablement. The trouble is that as the law reads you must be totally disabled through pneumoconiosis. If you had 20 per cent. of some other disability you could be turned down.

7. *Mr. Samuel.*] If you had 40 per cent. pneumoconiosis and 60 per cent. tuberculosis, you would be turned down because you were not totally incapacitated through the pneumoconiosis?—That is so. Tuberculosis follows as the usual sequence, so Dr. Short states definitely. Tuberculosis gallops, and the man's disability is perhaps 75 per cent. tuberculosis and only 25 per cent. of the pneumoconiosis, which was the original cause.

8. I suppose the man's age probably contributed to the unfavourable decision. Men may be suffering from 20 per cent. disability through inhaling dust, and old age creeps on, and they are incapacitated from work. The certificate may debar them because it may show 50 per cent. disability due to the dust and 50 per cent. old age?—That is so. I may say that the conditions underground predispose to the disease, for the men underground get tuberculosis more than those working on the surface. A miner may be working underground in a confined space with another man who has tuberculosis, and on that account may have a tendency to get it. Thorburn's pension was declined because the pneumoconiosis was not the whole cause of his disability. It was not stated that he did not have pneumoconiosis, but just that it was not the cause. Dr. Short has, in the face of that, on the 24th September, certified that Thorburn is suffering from pneumoconiosis, and thereby prevented from doing any work. That is in the face of the turning-down of the other medical men. As to the case of Hayward, he has been mining in New Zealand for thirty-nine years. The reply he received from the Department was that the disease was not contracted whilst mining in New Zealand; but he had never been out of New Zealand. He strained his heart about the end of last year. He was compensated with a lump sum, about £240. Dr. Gunson, one of the assessors in the compensation inquiry, stated that he could not agree to a larger sum as compensation, though he was of opinion that Hayward was totally disabled, because of the fact that his lungs were badly affected by miner's complaint, therefore he had to agree on the smaller amount, though the man was totally disabled. I have here a letter which he wrote on the 24th June to Mrs. Hayward, in which he says, "With regard to your letter of the 4th June: We settled Mr. Hayward's claim partly from the date of his accident and partly from the date on which I examined him. The real difficulty was that there had been previous trouble prior to the accident, and it was not possible to arrange a settlement on any better terms. As regards the condition of the lungs, there is evidence of old-standing change which I think would entitle Mr. Hayward to a miner's pension. If he is unable to work I should be pleased to let you have a certificate recommending him for a miner's pension, if he has not already applied for it." Dr. Short also gave a certificate on the 24th instant "that Mr. John Hayward is suffering from pneumoconiosis, and that he is thereby totally prevented from doing any work." The position is that Hayward has been penalized both ways—penalized in regard to compensation because the doctors in Auckland stated that only 25 per cent. of his disability was due to strained heart, and that his condition was due to miner's phthisis; then he applied for the miner's pension, and he was refused the pension because it was stated that his condition is due to strained heart. Hayward has a wife and six young children entirely dependent upon him. All the children are going to school, and he has no income whatever. The Hospital and Charitable Aid Board has to support him. The case of Patrick McLoughlin is that his age is sixty-four, and that he has been engaged for twenty-five years in mining and battery work. While he was working at Waihi he was on duties which placed him in positions where he had to inhale a certain amount of dust—such duties as filling trucks from the hoppers. In his last two or three years, when he was beginning to get short-winded, he was given the job of hauling trucks on the top of the hoppers, and in that position he could also get dust. Dr. Short gave a certificate in his case that he was suffering from pneumoconiosis. Again, on the 24th instant, Dr. Short gave a further certificate that "he is suffering from pneumoconiosis, and he is thereby totally prevented from doing any work." When McLoughlin was refused the pension we asked for a report as to the cause of his disability, and it was the same. I referred the report to Dr. Short,