

MINUTES OF EVIDENCE.

WASTE LANDS COMMITTEE.

THURSDAY, 18TH SEPTEMBER, 1884 (Mr. JAMES FULTON, Chairman).

Petition of F. D. RICH and another.

Mr. F. D. RICH, examined.

1. *Mr. Hurst.*] Will you be good enough, Mr. Rich, to make a statement to the Committee in support of your petition?

About the year 1880, in consequence of the coal in the land under lease running out, I made an application to the Minister of Mines for a lease seaward, where the coal was known to be unbroken and well defined. The Government could not grant the lease without legislation, but granted a license, revokable at will, for an area of waste land in Otago, which was duly granted. The coal company then proceeded to open up permanent and extensive submarine workings, but before doing so they had to put down a drive, so as to make sure that there was a large submarine seam of coal. These submarine workings were in operation and under the inspection of Mr. Binns for a period of three years previous to February, 1883, and no exception during this period was ever raised by Mr. Binns, either with respect to insufficient cover overhead or as to the plan of the workings, until about January, 1883, when the Inspector expressed his opinion that it would be necessary to go farther seaward and to work with larger cover overhead. The mining manager and myself, as managing director, offered no opposition to the stoppage of taking out coal from the submarine workings, and consented to work under the conditions imposed by Mr. Binns. The mining manager was requested to carry out Mr. Binns's new regulations, which were only imposed after the submarine workings had been going on for three years. We asked that the submarine workings should be kept dry, and not allowed to fill with water. As Mr. Binns, in his letter of February or March, 1883, had instructed that the then submarine workings should be closed, and consequently to fill with water, it was pointed out to Mr. Binns that it would be fatal to the whole of the mainland workings, both upper and lower seams, as they were connected with the submarine workings. Mr. Binns refused to allow the submarine workings to be kept dry, as requested by the mine manager, and told both the manager and myself that the effect of allowing the submarine workings to fill with water would be to support the roof. Both Mr. Williams and myself urged upon Mr. Binns that they should be kept free from water, and that access should be had through them to future submarine workings. Mr. Binns also refused to allow this. The mine manager informed Mr. Binns in my presence that his action would eventuate in the absolute ruin of the whole property, and stated his reasons fully for holding that opinion. As we were working under license and not under lease the Mining Act did not apply, and the license contained a provision that the company should work to the satisfaction of the Inspector. Considering there was no appeal against his decision the works were stopped, and the water commenced to accumulate. About three months after the results prognosticated by the manager were apparent, and the mine manager informed me, as managing director, that nothing but ruin would result from the action insisted upon by Mr. Binns. I requested the mine manager to write a letter stating what he had to say with regard to the injury that was being done, which he did, advising me to apply for a Commission, asking that Dr. Hector and some other competent authorities should inquire into the whole matter, and determine whether the opinion expressed by the manager, that it would eventuate in ruin, could be borne out, or whether the Commission would approve of the action already imposed upon the company by the Inspector with reference to allowing the mine to be filled with water. I enclosed the mine manager's letter in a letter which I wrote to the Minister of Mines, asking him to give his attention to such a very serious matter, and to grant a Commission of inquiry, such as I have now indicated, to investigate the whole circumstances of the case, and to see whether Mr. Binns or Mr. Williams were right. I also enclosed plans, &c., in the letter to the Minister. I afterwards received a telegram from the Secretary of Mines, stating that the Government saw no reason to interfere, and there was therefore no necessity for me to send the mine manager to Wellington, as I had offered to send the manager to Wellington to give all the necessary information. Dams were then put in, at a cost of £500, to shut off the water from the lower seam workings when the water in the submarine workings had raised to a certain height. I may say that in the letter of the 5th July the mine manager clearly and emphatically gives his reasons why it would eventually stop the workings in every part. We then put in the dams. When the water had risen to the upper seam of the land workings and reached the dams connecting with the shaft of the lower workings the pressure was about 200lb. to the square inch. There was at the time a large number of men in the lower works, only 70 feet below this large body of water, covering an area of 20 acres, which would have been immediately over their heads. Many of the men then refused to go down until the Inspector had been sent for, but the greater portion still continued to work there until Mr. Binns arrived. Mr. Binns then went down the shaft himself and saw the enormous pressure of water forcing itself through the dams and measures. He was then reluctantly compelled to instruct the manager to withdraw the whole of his men, which was accordingly done, and thereby the whole of the mine became absolutely closed. Mr. Binns, in his letter asking for the withdrawal of the men,