

we have a difficulty in keeping up the roof; after it is dry there is no difficulty in keeping the roof up.

52. What was the next step?—His letter of the 14th February.

53. That is the letter giving instructions for the working of the mine?—On the 24th January he inspected the mine; and on the 31st January I received a letter from him to make a fresh survey of the mine. [Letter from Mr. Maitland, 23rd January, marked A, put in: *vide* Appendix.]

54. The first one, you say, is a letter from Mr. Binns of the 31st January?—Yes. He came to the mine himself the same day—just after I received the letter—with a surveyor to make his own survey. I had only just received that letter from Mr. Maitland, which you have read, and I asked Mr. Binns what was the meaning of it; and, he said, that before he had nothing to do with me; but now he had it put into his hands, and he had all to do with it; that I had to work to his satisfaction.

55. Did you reply to Mr. Maitland's letter?—Yes. [Reply to be put in, marked B: *vide* Appendix.] I wrote to Mr. Maitland complaining that it was unfair to me, seeing that I had received no notice of anything wrong in the workings; and asking him to tell me who said the workings were unsafe; that it was unfair to hear from him first, and not from the Inspector. That was the purport of the letter.

56. You had this conversation with Mr. Binns, in which he said this gave him control over it?—Yes.

57. Did anything further pass between you and Mr. Binns on that occasion?—No; but during the time they were making their survey, the mine surveyor (Mr. Taylor) complained to me that they were marking places in their field-book too wide.

58. Complained that their survey was incorrect?—Yes; marking places too wide. He called my attention to one place. I said to Mr. Binns, one morning before we went into the mine, that there was one place too wide, and he said the place was 21ft. I told the under-ground overseer, Mr. Kenyon, and he turned round to Mr. Binns and said, "I'll bet you £5 it is not." I then asked him to go down with Mr. Binns and Mr. Twining. They went down, and when they came back Mr. Binns acknowledged it was only 16ft.—the place which had been marked 21ft.

59. That had been noted in the field-books?—Yes.

60. You had not an opportunity, then, of criticism of Twining's plan?—No; the plan was not made for some time.

61. How long was he there over this survey?—Some days. He came on the 31st. I think he was there most of the next week. On the 12th February I received a letter from Mr. Binns as to conditions of future workings. [Letters marked C, D, and E put in and read: *vide* Appendix.]

62. I understand that Mr. Binns was there on the 31st January, and stayed how many days?—I think some five or six days altogether.

63. Then he wrote this letter of the 14th?—He was at the mine on the 13th, and agreed upon certain places to be worked; but I had said to him that I would not stop the pumping until Mr. Rich came back. He agreed to allow me to work certain places, which he confirmed by a letter of the day after.

64. And he assented to your going on with the pumping?—Yes; until Mr. Rich's arrival.

65. When did you expect Mr. Rich?—In about three weeks.

66. What was the next step?—After receiving his letter I worked at the places he consented to let me till the 26th, when I received the letter dated the 24th; and had men examining all the falls he was so much afraid of according to his letter of the 14th.

67. You strictly complied with his letter?—Yes. [Letter marked F put in and read: *vide* Appendix.]

68. Had Mr. Binns been to the mine between the 13th and 24th?—I have no note of it.

69. What did you do upon that?—When I received his letter I was much put about; I was then laid up in bed, but on the 28th I went to Dunedin, to his office, to see him. I pointed out to him the position I was in, Mr. Rich not being there, and my supply of coal being cut off. We had been getting some thirty or forty tons a day out of that part of the mine where he had allowed me to work. I got permission from him then to work at certain places—to still continue until Mr. Rich's arrival.

70. And what about the pumping?—To keep pumping.

71. You were to work, not in all the places he had originally indicated?—It was in another place in the same district—just to the north.

72. What was the next step?—We worked on until the 19th March. I got a note then to say Mr. Rich had arrived, and would meet him at my office at the mine.

73. Did that meeting take place?—Yes.

74. What passed then?—I went through the whole of my objections to stopping the mine; the results that would accrue from letting in the water; and Mr. Rich heard them, and agreed with me; but Mr. Binns was positive in his instructions to have the mine closed, and Mr. Rich at last turned round and said, "I suppose we have no alternative but to do as the Inspector orders, and you will have to do it." That was acting under his instructions in the letter of the 24th February to close. Mr. Binns said to me that he would feel obliged if I would act on his letter, and withdraw all the men. I then withdrew all the workmen, and kept the pumps going until I had taken out all the plant, up to the 30th March. I then stopped the pumping, and allowed the water to rise.

75. On the 19th March, when Mr. Rich was there, was any reference made by Mr. Binns to the license under which you worked?—I do not remember. I could not state the conversation that took place. There was conversation about the license. The mine was working up to the time Mr. Rich, as the owner of the mine, told me I was to do as the Inspector said.

76. By the end of the month, you, having kept the pumps going, had got out all the plant?—Yes.

77. And then you withdrew the pumps?—Yes; they were the last thing to take up.

78. Then the water continued to rise?—Yes. On the 27th March, before I withdrew the pumps, Mr. Cox came. He said he would not go through the whole of the workings, as Mr. Binns