

mitted to?—I suppose that it was agreed, but I had no authority; I was merely the delegate of the Commissioner of Crown Lands.

654. Do you remember that Mr. Maitland supplemented the license: was that upon your authority?—It was to be worked to my satisfaction: Mr. Maitland was the superior authority.

655. Did you make any remark as to the possibility of the license being cancelled?—I might have; that is possible.

656. Did you know the legal aspect of the question, that the license was revocable?—I knew that; I knew that it was made subject to a particular condition in Mr. Maitland's letter.

657. That condition was obtained by yourself?—No; it was not obtained by myself.

658. Did you suggest that it should be made revocable?—Every license is revocable.

659. Was not this the suggestion: that the license should be granted on these terms, viz., that unless it was worked to the satisfaction of a Government official?—I did not mean myself; as far as I was concerned, I should have been glad to have someone else saddled with it; the whole of it was placed on my shoulders, very much to my regret at the time.

660. Mr. Rich showed himself willing and anxious to adopt your view?—Yes.

661. You will not dispute the fact that some reference was to have been made to the revocability of the license?—No; I will not dispute it.

662. Ultimately Mr. Rich acceded to what you submitted?—Yes.

663. Was that note read over to Messrs. Rich and Williams at the interview of the 19th: was it shown to them?—I have no note of it.

664. As to the other minutes of the conversation, I notice that you made a memorandum that it was read to Mr. Williams?—Yes; I have.

665. Am I right in saying that both these embodied some agreement or arrangement?—Yes; I wrote next day with reference to your observation as to the weighting of the mine; you said something about the "weighting" on the occasion of your visit when the survey was going on; is not this what is known in quartz-mining when pieces are flying off?—That is called "proudness," or the mine being "proud;" it is quite distinct from "weighting."

666. What is "weighting"?—Undue pressure on the pillars. It manifests itself by the coal chipping off the pillars.

667. But when you find that, it does not condemn the whole of the work?—In submarine mining it does; "weighting," in mining engineering, shows plainly that there is not sufficient support for the roof.

668. Could you support it in no other way?—Unless it had fallen so low, as it had in this mine, that you could not get to it.

669. Where had it fallen so low that you could not get at it?—The dip at No. 1.

670. Is that where you observed it "weighting"?—No; I observed it "weighting" in the upper portion of the mine.

671. You heard the evidence of Mr. Denniston?—I did.

672. Do you agree with that?—I do not know what it was.

673. The evidence was that it might have been "packed"?—I did not hear him say that.

674. Suppose he did say it, is that a remedy, viz., to "pack" the area in driving, in the circumstances stated?—I think that would do damage rather.

675. He is a mining engineer; has he not considerable repute in the profession in this country?—That is a difficult question to answer.

676. As far as you know?—I believe there is still somebody that believes in him.

677. Perhaps you do not believe in him?—Perhaps I do not.

678. I believe that more than once you had a wrangle with Mr. Denniston?—No, not at all; I did not wrangle with him.

679. Not through counsel?—I do not wrangle through counsel.

Committee adjourned.

SATURDAY, 4TH OCTOBER, 1884.

Mr. BINNS, cross-examination—continued.

680. *Mr. Chapman.*] You referred in your correspondence to a proposed inquiry, did you not?—Yes; I did.

681. Could you show me the passage in your report in which you referred to Mr. Rich's desire for an inquiry?—It was printed and laid on the table, but I cannot find it.

682. I wish you to read the passage?—I think it is in the letter from myself to the Under-Secretary for Mines, dated the 18th February, 1884.

683. What is the passage?—"During the progress of the case *Binns v. Williams*, Mr. Rich showed me some correspondence bearing on the question of a commission. From whom or to whom I had—or at least now have—no idea, as I was hardly able to give it any attention." Is that the passage you refer to?

684. No; that is not the passage. You referred somewhere to the fact of your having a reputation to make, or something of that sort?—I will find it if I can.

685. Well, I do not wish to take up a lot of time in finding these things?—If you will give me the date, Mr. Chapman, I will try to find it.

686. I cannot give you the date. Now, let me ask you this with regard to your action in closing the upper workings: did you anticipate at the time that you were, in reality, closing the whole mine?—I did not.

687. Your action, then, was based on the assumption that the lower workings might continue to be worked?—Yes.

688. And, I think, you have told us your views as to what occurred in your own mind as to the possibility of allowing the water to rise to a certain limit, and there checking it?—Yes.

689. That, if that had been possible, it would have been possible to continue working the lower seam?—Yes.