

to the judgment of the mine manager?—Yes; to a certain extent; under the proper inspection of the surveyor of the mine.

1229. In one of your reports you said that you thought letting water in should be undertaken with great care, as it might be a standing danger to the mine?—I was then under the impression that it was proposed to work the lower seam.

1230. But would it not be a standing danger to the mine under the circumstances?—Not if the mine was pumped whenever the water approached the shaft, unless a fracture took place. If a slip or fault occurred from any cause it would be a question of how rapidly the sea was admitted.

1231. It would be a standing danger to the mine if the dams did not hold out?—I do not consider so. Being full of water and not working underneath, and if the water is kept from rising and passing down the shaft, there would be no standing danger.

1232. That depends on whether you could keep the water under?—Yes; so far as I can remember, the rise was exceedingly gradual.

1233. I understand that you expressed no opinion as to the filling of the mine with water?—No; because, as I have stated, I wished to consider the matter more carefully. The papers submitted to me showed that the increase of water was very slight, and I thought that the question of allowing the works to fill should be very carefully considered; always being under the impression that the object was to prevent the tendency to collapse in the upper strata being transmitted, so as to crush what was below. How I got that impression was that in Mr. Williams's letter he pointed out that he desired to work the lower part of the mine.

1234. The water rising would in time inevitably press on the lower workings?—I do not think it could ever press on them, for they were not allowed to extend underneath.

1235. Would not the water, if allowed to accumulate in the upper workings, rise and lie above the lower-seam workings?—Yes; to a certain extent.

1236. Would not this add to the burden that the cover of the lower seam had to bear?—No; I do not think the mere weight would materially do so, because the weight of a thin stratum of water would be a very small fraction of the whole weight of the superincumbent strata.

1237. Would it find its way through?—No.

1238. Would it not be safer to keep the water off these workings altogether?—I do not see any object in keeping the water out.

1239. Can you see any object in letting it in?—If my opinion were asked, I should keep the water pumped back to the vertical line over the lower workings; that would be 60ft. or 70ft. below the level of the dam in the shaft; although I do not think it would make very much difference.

1240. What objection would there be to keeping the upper workings dry altogether?—One objection would be the great expense of pumping; another that they would be deserted works, and always undergoing deterioration; besides the enormous risk of life in sending men down to keep the pumps free. There is no particular object in keeping the water out of these parts. The question of whether it should be kept out of the part overlying the lower workings that are not submarine is a minor one.

1241. You say that allowing water to come into a mine is always a serious question?—Yes; in any working it requires to be carefully studied, and precautionary measures are generally taken when works are going to be carried on underneath the water.

1242. In this case you were not consulted as to the letting in of the water?—No; I approved generally of what Mr. Binns had done; that was, after the water came in.

1243. Did you express approval of that?—Yes; in one of my minutes. I do not think that the accumulation of water has been the cause of the sea getting in.

1244. But you do not speak from examination?—No.

1245. At the time you reported in July, 1883, did you think it was a matter for inquiry?—I do not know.

1246. Did you think it desirable that the Inspector of Mines should have been relieved of the responsibility of deciding such a matter?—I do not think it is ever a good thing for any one to interfere with a statutory officer in the discharge of his duties. There is a certain course prescribed by the Act, which is to be followed. I do not know whether he was an Inspector under the Act, or whether he could enforce what he recommended.

1247. Did you express any opinion as to the inquiry that was to be held?—I thought Mr. Binns could take no exception to an inquiry. I stated as much to Mr. Rich, who came for the purpose of asking if such an inquiry would be felt by Mr. Binns.

1248. *Mr. Macandrew.*] Do you not think it would have been prudent on the part of the department to have granted a Commission of inquiry into all the circumstances of the case, seeing the interests at stake and the consequences that have resulted from closing the mine?—Inquiry was made of me, and I answered it according to my ability. That turns upon whether the mine has been shut up in consequence of anything that the inquiry could have disclosed.

1249. The inquiry was to prevent the threatened action?—I am not sufficiently familiar with the working of the Act to know whether it would involve any complications; but I think all possible information should be got in these cases.

1250. The hard-and-fast letter of an Act should not be allowed to be detrimental to the public interests?—I quite agree with that.

1251. *Mr. J. McKenzie.*] You are aware that Mr. Williams and Mr. Rich had strongly protested against the action of filling the mine with water; as what has happened would, in their opinion, happen: were you asked to give advice?—Not for the reason given: that, if the water was kept out, it would permit the seam to be worked underneath it.

1252. In your opinion, you did not think that what was expected to occur would occur?—No; it has not occurred. The coal has not been worked out from underneath the submarine workings.