

1253. But the mine has been closed?—If I had had at that time all the evidence I believe I could have got, I would not have objected to filling in the mine to cover that part of the seam which was not being worked.

1254. You do not think the reasons given against it are not sufficient?—I say that now, from the light of what has taken place. Judging from what I see now, a Commission would not have altered the circumstances; nothing else could have been done than what has been done.

1255. *Mr. Bruce.*] From the fact of your having said that it would have been attended with enormous danger, keeping these workings dry, you entirely approve, with all the knowledge you possess, of the action of the Government Inspector in allowing the water to accumulate?—I do.

1256. Then, I understand you to say that it was problematical that the sea has yet broken into the mine?—No; I cannot say. It is a mere matter of evidence whether it is sea or fresh water in the mine.

1257. You said, as I understand, that there was 136ft. of cover, and that as the falls come down, the sea does not necessarily come in by the falling of the roof?—No; it might come in by a fracture of the superincumbent strata; but long before the roof would scale so as to admit the water, the workings would be tightly packed.

1258. How can they not now keep it dry?—I expect that there have been fractures; but I do not think that the roof falling over the seam would be a cause of fracture of itself.

1259. *Mr. Rolleston.*] When you wrote this minute in July the mine had been closed for some months?—Partly closed; they were still working in the other part of the mine.

1260. You were then asked your opinion: Had you not then in your office the advice of a legally-qualified Inspector of Mines, who had been in the mine?—Yes.

1261. You have read his memorandum?—Yes; I talked the matter over with him.

1262. Did you not understand, from this memorandum, that sooner or later the sea would break in from the falls in the roof?—Yes.

1263. And, further, that, if the sea did break in, nothing but the wedge-dams would save the other workings?—Yes; that was the chief object of them.

1264. And that nothing could then save the mine?—Yes; that is what was to be inferred from the report.

1265. That, unless the dams were efficient, it was evident, in Mr. Cox's opinion, that the water would prevail?—Yes.

1266. What were Mr. Cox's qualifications?—He was a trained and qualified mining engineer.

1267. You have entire confidence in his judgment?—I have.

1268. Could a better-qualified man have been applied to to give an opinion as to the proper course to be taken?—No.

1269. If you had been asked to advise upon any one to act on a Commission, would you have suggested Mr. Cox?—Certainly.

1270. Seeing, then, that your own judgment led you to the conclusion expressed in your minute, and that Mr. Cox held a like opinion, are you now of opinion that any good purpose would have been served by the Government appointing a Commission to inquire?—No; I do not think any other conclusion could have been arrived at but to support the action of the Inspector.

1271. Would it not be a very serious responsibility for a department to throw doubt on the act of an Inspector where life is involved?—Very serious; it is always most dangerous to interfere with an officer like an Inspector of Mines. Any interference would tend to relieve him from feeling the weight of his responsibility, and prevent his taking that prompt action which is imperatively necessary in order to save life.

1272. Are you aware of other instances in this colony where loss of life has been the consequence of the Government not promptly insisting on the advice of their inspectors?—Yes; the Kaitangata explosion is a case in point. That was because the Act was not in force; but the Government had been advised two months before that the explosion would take place; but the advice was allowed to be neglected as the Inspector was not at that time a statutory officer, and the machinery of the Act not in operation, and he had no means of acting on his own responsibility.

1273. Who was the Inspector who gave that advice?—Mr. Binns.

1274. *Mr. Chapman.*] Under the Act there is something in the nature of appeal. If the Act was not in operation with regard to this mine, and if there was no statutory mode of appeal, do you not think that some way of appeal should be afforded by the Government?—It should be brought under the statute.

1275. But supposing it was not, should not some equivalent be given?—It should depend on what equivalent they might have got for being outside the statute. If any mine is not controlled by the statute it must be in a peculiar position, and must enjoy some advantage which others do not enjoy. It would depend on that whether it should receive consideration in another direction.

1276. *Mr. Rolleston.*] Are you not aware that, supposing it had been under the Act, the application that was made by Mr. Rich was after a lapse of time that is not contemplated by the Act? I do not know enough about the Act.

WEDNESDAY, 8TH OCTOBER, 1884.

Mr. A. B. LINDUP, examined on oath.

1277. *Mr. Reid.*] What are you? I am a mining engineer.

1278. What experience have you had?—I gained my certificate in 1877; I have been connected with mining ever since I left school.

1279. In what places?—Station Colliery, Roughwood Colliery, Glebe Colliery, and collieries in Staffordshire.

1280. How long have you been a certificated manager?—Since 1877.