

—Armstrong—because there was some little doubt about him, in order to keep as closely as possible to the intention of the Act—that, while none should be disqualified, at the same time there should be three miners if practicable; but they could not be found. With regard to other names, although I was aware that the Blackball miners were down, I knew it would never do to place any rescuers on the jury, but I felt myself to be in the position that it was impracticable to summon any miners—first of all, any of the Brunner miners; and, secondly, it would not do to put any rescuers on, as that would be resented immediately by the men going down the mine to work. I was also of opinion that it was absolutely necessary at once to view the bodies for the reason of the relatives being in such terrible distress; and, under the circumstances, I had to let go the last part of the paragraph of the section, which says that, if possible, there shall be three miners on the jury; and I examined six of the best men, according to Constable Beattie's opinion, who knew the people well, and including Armstrong, a miner. Of the six, he could not be found, and I had to have five summoned, and I selected a Mr. Ring, who had been standing at the mouth of the mine, and whose was the only face I recognised, and who I knew to be a well-educated man. The jury were then sworn by me, and a precept was filled up, and the names of twelve persons whose bodies were lying waiting to be viewed were written on the precept. It was then filled in, signed by me, and the jury were summoned. They were all present, and were all summoned by the constable. We proceeded then to view the twelve bodies, and I at once gave permission to the relatives to take them away. We followed them to the houses—a few being there, and some at the mouth of the mine.

342. Is it not usual for the Coroner to issue his precept to the peace-officer, and to leave the peace-officer to select the jury?—I think it is usual; but this is an unusual case.

343. But it is lawful?—I think so, for the Coroner himself to select the jury. That is the way I proceed to work. I instructed the constable to summon six persons out of the twelve names he recommended, and he did so, the men themselves being present. He acted on the precept, there and then.

THOMAS ROBINSON examined.

344. *Mr. Park.*] What is your occupation, Mr. Robinson?—Aërated-water manufacturer, Taylorville.

345. What experience have you had as a miner?—About twenty years—seven to nine years in the colony; four years at Brunner.

346. What mines did you work in here?—Brunner and Coalpit Heath.

347. Which did you work in last?—Brunner, up to five years prior to the explosion.

348. You were one of the four appointed by the Miners' Union to make an inspection of the Brunner Mine after the explosion?—Yes.

349. You have heard Mr. Russell's evidence this morning?—Yes.

350. Do you corroborate what he says?—Yes; fairly well.

351. Will you tell us in what way you differ from him?—One was, when the question was put to him respecting mixed lights being used, that the men were using safety-lamps in one bore and naked lights in the next. I wish to qualify that a little. I understood Mr. Russell to leave the impression on the Commission that where the lamps were used there was gas showing from the solid face. In the place mentioned—Brislane's bord—the face was not progressing into the solid. They were taking back the pillar in the upper side, and were not likely to come into any such quantity of gas as they would have if driving into the solid. There was no danger in using naked lights below.

352. *The Chairman.*] Practically you corroborate Mr. Russell's evidence, although you give a different reason for using naked lights below Brislane's bord?—Yes.

353. *Mr. Park.*] They were stripping the pillar in Brislane's bord?—Yes. Had they been cutting into the solid I should have thought the naked lights below would have been dangerous. Brislane's bord was using safeties, and Hunter's naked lights.

354. If that were the case, you say there was little or no danger in using naked lights in Hunter's bord?—If they were not driving into the solid they were not likely to cut into any blowers.

355. What was the next point of difference?—In regard to Watchman and Pattinson's place. In the bord above Watchman's place, at the far end, there was a quantity of gas found, which I think Mr. Russell omitted in his statement.

356. Was that over the fall?—On the top of the fall. I think the Commission is not clear on that point yet, and probably I am myself a little bit hazy. Opposite this slit [indicated] is where the blower was found on top on the fall. The fall was heavy there and the gas was in the roof near the top of the fall. This fall continues, but is not heavy all along.

357. There is another slit near the face?—Yes; and any gas coming out of that blower would not be likely to get down; it would go up.

358. You mean any gas coming from that blower would not reach Worthley and Duncan's bord, or Denniston and Hunter's, as there is an air-course coming down outside?—I do not know where it would reach; it would go with the air-course.

359. But its liability to an explosion would be less if mixed with air. The more you diffuse gas, the less liability there is of an explosion?—Yes; if there is a good quantity of air.

360. Is not there a very strong current coming down that air-course?—Yes; and it was impossible for the gas to remain there in the morning.

361. You heard Mr. Russell say that he examined that blower. Do you agree with him that there was no gas there?—I agree with him. I do not know whether there was gas in it or not.

362. Could you not tell from any test whether there was any gas?—Yes; the blower seemed to be 2ft. or 3ft. in the crevice, nearer an overhanging rock, which rendered it impossible for us to test it. There may have been gas, but we could not tell.