

should not be left to others than a person with this qualification." Now, do you take that as a hint to the Minister that he should make a change in the man who is supervising the work at the mine?—I really do not know what they mean. The best plan would be to get one of them here and ask him.

208. But what would you take that paragraph to mean?—I would take it in this way: that it might not be the slightest reflection upon the Inspector; they might think he had enough to do to mind his duties outside of this, and it should be put into the hands of some one who had had some experience of fires.

209. Would you consider that it would have been better if the change had been made in compliance with this recommendation?—I do not know that it would. If you took a stranger who did not know the local conditions it would not have been desirable at all. The local conditions affect the circumstances of the mine.

210. You cannot express any opinion on this question of whether the man who was there was competent, after spending six months in putting up a dam, and then did not put up one that was watertight?—In the way the question is put I will not commit myself to anything.

211. Coming to the present time, Mr. Hayes, do you think any action should be taken now to try to clear that bush, and so prevent any fire from getting across Chasm Creek or into the Cave area?—If it is thought that there is a risk of bush-fires it might be desirable to do so. It is a point that is probably worth consideration and careful investigation; but, as I told you, when I was last there, I asked if there was any possibility of bush-fires, and local opinion seemed to be that there was not.

212. Have you formed any opinion as to how this fire started?—No, unless it was by spontaneous ignition. I know that that is a common cause of fires in mines.

213. But you have never heard anything said in the district about the likelihood of its being set on fire?—Only in a vague way that it might have been the work of incendiaries, but nothing that I could really place any credence in.

214. With respect to this tampering with the dam, Messrs. Alison, Shore, and Foster did not know that the dam had been touched till it was absolutely taken down?—They said it had been tight up to a certain time.

215. But they did not know anything about the dam being tampered with before it was taken down?—Not definitely.

216. It was some time subsequent to your being there?—Yes.

217. So that it was not tampered with when Alison, Shore, and Foster were there?—If it had held water previous to that, and the tampering with it had caused it to leak, the tampering must have been previous to that.

218. You said that your people did not know anything about the dam being tampered with until they took it down?—Not definitely.

219. If they knew the dam had been tampered with why did they not report it before?—I do not know that they knew it had been tampered with until they took down the old dam, and saw the evidences of a blast. I do not see how they could know.

220. It was some time subsequent to your being there when they took the dam down?—I do not see how they could know until they took out the bottom. Mitchell told me that when he found the water running away it was coming under the dam, and it led him to suspect that the dam had been tampered with.

221. You did not see it yourself at all?—No; it was all messed up with muck and *débris*.

222. Where did that come from?—From the drippings from the mine, and the tunnel partly collapsed.

223. Was there a wheelbarrow full of this *débris*?—Yes, a good many. The dam was put in in the first place in good hard rock.

224. Had that rock given way, then, to the extent of more than a wheelbarrow full?—Yes; and the water which had come through had brought a lot of *débris* out of the mine.

225. You said the water was coming out at the top, and the bottom was tight?—You misunderstand me. I will sketch it, and explain the matter in a few moments. [Witness explained his meaning by means of a sketch on a piece of paper.]

226. Did you hear any rumour when you were at Mokihinui to the effect that the dam was tampered with by your own men?—No, I did not hear that.

227. How was the entrance to the mine at the time you saw the dam?—When I was there at the end of February or the beginning of March you could get in all right. I heard afterwards that it had fallen.

228. You did not hear anything about the dam being tampered with by one of your own men?—No.

229. Did you try the water that came through, whether it was cool or warm?—It was at a temperature of about 70 degrees, approximately.

230. I would like to ask the Minister of Mines what Mr. Hayes's position is in the department—whether he is in charge of the Inspectors?

*Hon. Mr. McGowan*: What Mr. Hayes has stated is exactly correct. The Inspectors are under the Act, and while they are under the Act they are paid by and under the control of the department. Mr. Hayes is the Engineer to the department. The Inspectors carry out their duties according to the Act, and not according to instructions. We could not give any instructions that would in any way interfere with the actions of a Mining Inspector, because his duties are defined by the Act, and he must carry them out accordingly.

*Mr. R. McKenzie*: I want to know whether Mr. Hayes issues any instructions to the Inspectors?

*Hon. Mr. McGowan*: He cannot issue any instructions that contravene the Act.