

That was Mr. Bennie's minute put in the company's book on the 2nd July, 1914. On the 9th July Mr. Fletcher reported the accident to Kelly, and on the 11th July the Inspector wrote to Mr. Fletcher as follows:—

"In view of the recent finding of  $\text{CH}_4$  gas in Ralph's Mine, and the dangerous accumulation of coaldust in the mine generally, but more especially in the main travelling-road adjacent to the main haulage-dip, and also at No. 6 level leading to the working-places at the level and to the Taupiri West section. On my visit of inspection to the mine on the 19th and 20th ultimo I noticed the above conditions, and on the 30th of the same month I wrote you and requested your immediate attention as regards spraying the dust with water to remove the danger, also as regards the dust from the coal-cutting machines, and the firing of shots by miners without restriction, &c. On my visit of inspection on the 2nd instant, when my visit was especially to examine places in the old workings of the mine, I observed that dry coaldust was still there in dangerous quantities; in fact, little or nothing had been done to comply with my request of the 30th May ultimo. On the 2nd instant I found  $\text{CH}_4$  gas in two places adjacent to the place where Kelly got burned with  $\text{CH}_4$  gas on the 9th instant, reported to me by you on the 9th and received by me on the 10th. In my memo. left in your mine report-book in your office on the 6th instant, I wished to impress you as to the dangerous state of the mine through dry coaldust and  $\text{CH}_4$  gas. In view of the happening on the 9th instant I now request that shot-firers be appointed as required by Special Rule 25 (d), and that the dangerous accumulation of dry coaldust in the mine's travelling-roads, or elsewhere in the mine, be dealt with in an adequate and efficient manner. Failure to comply with my request will be followed by prosecution for breaches of the Act, &c., thereunder."

And Mr. Fletcher replied to that on the 20th July:—

"In view of the reporting of firedamp by the examining deputies in this mine, I have authorized that all shots shall be fired by the men in charge of each section. The travelling-roads are receiving attention, the dust must be watered regularly. Attached herewith please find extract from my report-book regarding the ignition of gas when W. Kelly was burnt."

Then followed Mr. Fletcher's description of the burning of Kelly. As to Mr. Bennie's inspection of the mine, he has told you that he did not find on his visits any gas in the working-places, but only in the old workings. There is no obligation on the company under the Act and regulations to inspect the old workings, but Mr. Bennie asked Mr. Fletcher to have that inspection made, and he did it. It is the duty of Mr. Bennie not to report to Mr. Reed but to the Under-Secretary, and on the 24th July he wrote to the Under-Secretary informing him of the accidents in Ralph's Mine to Kelly, explaining the circumstances and reporting the finding of gas. He added,—

"At the time of my visit the air-current swept through the full length of the drive, and carried away any gas coming from the cavity. I also examined four other places where gas had been found and reported by the examining officers; in one of them only I found gas, steps are being taken to ventilate those places and clear out the gas. A new air-shaft is being sunk and is now almost completed, and a new and powerful Sirocco fan of 200,000 cubic feet capacity is to be installed there. At present the quantity of air passing through the mine close to the scene of the accident, as measured by me on the 14th instant, was 23,280 cubic feet per minute, for an average of seventy-seven men, equal to 300 cubic feet per man, exclusive of 17,000 cubic feet passing into and through the little dip (old workings). There is on an average air equal to 300 cubic feet per man per minute passing through the whole mine-workings. In consequence of the ignition of gas on the 9th instant I have notified the mine-manager that in compliance with Special Rule 25 (d) all shots fired in the mine must be done by an officer specially appointed for that purpose, and that all roads and places where there is dry coaldust in dangerous quantities must be removed or made damp by water. This is now being done."

Then, on the 4th August the Under-Secretary wrote to Mr. Bennie in reference to Kelly's accident, asking him to reply as to whether he recommended a prosecution of the manager for the negligence by which a disastrous explosion might have been caused. Mr. Bennie was asked for a report on that matter. He replied on the 7th August, as follows:—

"In reply to your memo. of the 4th instant, I beg to state that after careful consideration I am of opinion that to prosecute Mr. Fletcher, the mine-manager, for a breach of Special Rule 14, in the case of William Kelly, burnt by an ignition of gas in the company's mine on the 9th July last, I may fail to get a conviction, but the moral effect of such a prosecution will be to produce more effective supervision, the value of which we cannot foresee. In view of the alleged previous burnings by gas in the mines, apart from that of the 4th instant, it may render it necessary to prosecute. I, as an Inspector of Mines, receive no help from the Miners' Union or their check inspectors, who are, as at present constituted, the creation of the mining-company's directors. I have had no complaints from the union officials or any of its members, either written or verbally, for over twelve months past. I may say that there is very little carburetted-hydrogen gas found in the mine, but for some time past small quantities have been found and reported by the examining officers of the company. In view of that I have repeatedly requested that the roads in the mine where coaldust has accumulated should be adequately watered, and all shots fired in the mine to be fired by the fireman and deputy, as required by Special Rule 25 (d). The manager has not complied as fully as I would like. The foot-tracks of the travelling-roads only have been watered, and while the manager has informed me in writing that shots are being fired by officials I am not quite sure that this is so."

He considered that that was all that was necessary to reduce the danger of the mine to a minimum—watering of the dust and the appointment of shot-firers. In that letter Mr. Bennie goes on to say,—

"I cannot recommend that safety-lamps only be used in these mines for two reasons—(1.) Very little gas is found in the miners' working-places; it has practically always been found in falls of the roof of the old workings, and two officials are specially appointed to examine the old workings. During the