

to depend on the evidence of those miners who had remained in the district, or whose attendance could be procured at the other places we visited, and on a study of the plans of the underground workings. There was no evidence to show any other cause for complaint, beside the lack of ventilation. A charge was made that there were not two travelling-roads available at all times to the miners, as alleged to be required by section 40 of "The Coal-mines Act, 1891," but we are of opinion that the Miners' Union is mistaken in their interpretation of the section, which does not authorise the dangerous practice of allowing persons to enter or leave the mine by any one of two or more roads. If such were allowed, it would be impossible to check the number of men within the mine at any time or account for their safety. "The two separate and distinct shafts or outlets to the surface from the mine intercommunicating with each other, so that such shafts or outlets shall afford a separate means of ingress or egress, available to the persons employed in such mine," specifically mentioned in the Coal-mines Act, section 40, means to provide a way of egress in case of accident, and of ingress to carry assistance under like circumstances. The alleged grievance of the miners under this head is that if a man wishes to leave the mine before the usual hour he cannot do so, because men are not allowed to travel the haulage-road while the trucks are running; but in case of necessity the trucks are stopped, and it is absolutely necessary, in order to provide for the men's safety, that the deputy should know if all have left the mine, and this cannot be the case if men can leave the mine unseen by some other way than the haulage-road.

We carefully inspected the Bridge section of the mine, and are of opinion that it shows signs of having been opened in a workmanlike manner, and, if it can be taken as a sample of the rest of the mine, no fault can be found, except as to ventilation.

At the end of September, 1899, the company discharged all hands except Mr. G. H. Broome, the mine-manager; his brother Roland Broome, who had been a clerk in the manager's office; and a man named Peter Martin, the carpenter at the works, who was paid when his services were required.

Mr. Broome says that at that time all the marketable coal was practically exhausted. There was a large quantity of coal left, but it was soft and unmarketable. The company were then losing between £300 and £400 a week. Negotiations went on between Mr. Hargreaves and the Government, but did not result in any arrangement being made. The company were in arrear for rent or royalty, and for their share of the deficiency in profit on working of the railway, in terms of "The Westport-Ngakawau Railway Extension Act, 1890," and the Amendment Act of 1894. The relief given by the Act of 1900 had not been extended to them. In January they had £900 to their credit in the bank, and it does not appear that there were any pressing claims against the company. It was decided by the management that Mr. Broome should make periodical inspections, but it was not arranged that any daily inspection should be made. Mr. G. H. Broome had obtained another appointment, and left Mokihinui and the Buller district on the 28th January, 1900. Mr. Hargreaves says that it was agreed that Mr. R. Broome and the late deputy, Alexander Mitchell, should inspect the mine periodically, but not daily. It is clear that Mitchell did not inspect, as the pay-sheets show that he was only paid for four hours' work in October, and was not otherwise employed by the company during the period from 1st October to 26th January. It is improbable that much attention was given to the mine from the end of September until the fire was discovered. The Messrs. Broome were probably only concerned in seeing that the surface-works and machinery were not interfered with. From the end of September to 28th January it may be safely said that there was no inspection or management in the mine, and that the mine was not even barred at the main entrances. Peter Martin says he examined the mine in company with the manager at least three times during the period from September to January, and that he was at the main entrance tunnel on the Thursday before the 28th January—viz., on the 25th January, 1900. Mr. Broome says that up to the 25th January, when he left the mine, there had been no sign of fire, with the exception of a little heating in the dip, where there was a clay roof, and that had been flooded before he left. He says he had never seen any heating in the North block, or in the part of the Hector block where the fire occurred; but it must be remembered that the mine had been unoccupied, unworked, and, as we think, practically unwatched for four months, and, though there was every opportunity for incendiarism, there were also all the conditions necessary to support the theory of spontaneous ignition.

In our opinion, no mine should be left unwatched in the way the Westport-Cardiff Mine was left, and should another case arise where the lessees from the Crown of a coal-mine fail to keep an efficient staff the Crown should at once intervene, and take the necessary measures to prevent accident from fire or accumulations of gas or damp.

(2.) *As to Steps taken by the Occupiers of the Mine to suppress or extinguish the Fire on its Discovery.*

On Sunday, the 28th January, the only person in charge of the mine was Mr. R. Broome, formerly clerk in the company's office, and on this day he was absent in Westport. At 1 p.m. on that day a boy named Keel observed smoke coming from the mine; he communicated the fact to some men, and they informed Alexander Mitchell, who seems to have had some sort of retainer to assist when wanted. Mitchell went to the main entrance of the mine at 2 p.m., and put brattice cloth across the openings of the mine. Word was sent to the company's agent at Westport, and to the Inspector of Mines, Mr. R. Tennent. The Inspector promptly proceeded to Mokihinui, arriving at the mine about 7.30 p.m. He went into the mine alone; he says he went along the main haulage-road until his light was extinguished by the gas, and he then decided that nothing could be done that night. He says that he saw smoke coming from the main tunnel at both entrances. This was an emergency in which an officer who was willing to take the responsibility of incurring some expense, and perhaps the censure of his departmental superior for interference before authorisation, might perhaps have saved the situation. From what is now known it appear