

Mr. WILLIAM WALKER, called and examined.

Mr. Walker submitted the following statement:—

48586A. (1) I am a member of the Council of the Cleveland Ironstone Mine Owners' Association, and have been such for 35 years, viz., ever since the Association was formed in 1873. I have three ironstone mines under my charge, among them the Stanghow Ironstone Mine, belonging to Messrs. Cochrane & Co., Ltd., who are members of the Cleveland Mine Owners' Association.

(2) The entire output of ironstone in Cleveland in the year 1906 was 6,102,223 tons. For the year 1907 the output will have been very similar, but the Government statistics for the past year are not yet available. There has been little variation in the output for some years past, and there is no prospect of any important development. The outputs in 1906 and 1907 from mines connected with the Cleveland Mine Owners' Association were:—

1906.	1907.
5,302,223 tons.	5,295,605 tons.

The output of the associated mines represents about seven-eighths of the Cleveland District total.

(3) The number of persons employed at the associated mines at the end of 1907 was 6,971. The number at associated and non-associated mines combined at the end of 1906, the last year for which complete statistics are obtainable, was 8,037, viz., associated mines 6,894, and non-associated mines 1,143. During the past ten years the average number at the associated mines has been 6,416, of whom 5,159, or 80.41 per cent., were underground, and 1,257, or 19.59, per cent. were on the surface, the underground and surface proportions being therefore similar to those which apply to the mines generally throughout the country.

(4) My attention has been drawn to evidence given here on November 7th, 1907, by witnesses from Cleveland. It is rather surprising to find persons of the experience claimed by these witnesses making so impracticable a suggestion as the formal examinations of persons for the position of deputies in the manner proposed. The Coal Mines Act, under which the ironstone is worked, says "every mine shall be under a manager, who shall be responsible for the control, management and direction of the mine." It would constitute a serious encroachment upon the time of the manager or under-manager, and interfere with the due exercise of his practical duties of personal supervision if he had constantly to discuss with the men the question of who should fill some one of the numerous positions to be occupied in and about the mines. Once meetings commence it is not always easy to terminate them without appearing to the other side to do so hastily. Even now too much of the managers' time is taken up by lengthy discussions on various questions raised by the men, and any regulation tending to an increase in the number of such interviews would have an effect detrimental to the safe and proper conduct of the mines. There is also a danger that questions of personality rather than of fitness might assume an undue prominence in such discussions. Mines managers are not less imbued with humane principles than other persons. Even if they were, there is no temptation, even from a monetary point of view, to adopt a course likely to increase danger. If the manager fails to agree with the men's spokesmen as to who should be appointed a deputy, what is the course to be adopted? Is it then intended that an exhaustive enquiry before an umpire should be made? Unless this were the case, in the event of a difference of opinion—as would quite possibly arise—the two men and the mine manager would have met in vain. It is clear that the manager must ultimately adhere to his own view, because he could not shift to other shoulders the responsibility which the law casts upon him, and there is no likelihood of any diminution of this responsibility. Everything seems to point in the opposite direction. Anything likely to create additional friction would not be beneficial to either side. It is not apparently intended by the Cleveland witnesses that if men were given a voice in electing deputies they should take any responsibility. Divided control, indeed, there cannot be. The men's officials seemingly desire that the irresponsible should control the responsible, than which nothing could be more illogical. The managers feel the full weight of their responsibility in this matter, and do not place a deputy in charge of a district of the mine without knowing all that can be known about his fitness for the duties. It can be shown that such men have had all the experience the witnesses contended for.

(5) As to the training of deputies, there is nothing better for this purpose than acting as an assistant under an experienced deputy. It must not be supposed that an assistant deputy remains such all his life, especially if a

young man; after he gets about the experience that the witnesses urged as necessary to become a deputy he has frequently the chance of a deputy's post, as can be easily shown from actual facts. In some cases the assistant deputies are a class selected on account of their long experience in the mines and at the same time deficient physical powers for the performance of the harder work associated with mining. There is no question in Cleveland of "too old at 50," or even 60. A miner might even have the suggested three years' experience at the face of the stone and yet have little or no knowledge of timbering, as there are parts of the mines where scarcely any timbering is required, and where, consequently, the miner could not acquire the requisite experience for being a deputy. The assistant-deputy system which the witnesses referred to as modern and objectionable, is not complained of by the experienced deputies themselves who are working under this system, and there is good reason to believe that they prefer, indeed, to have persons with them in the capacity of assistants, owing to their being more amenable to instruction. The handling of a piece of timber is not in itself a skilled occupation. The man possessing judgment and his assistant are practically always together while working. Bricklayers and their assistants are not counted as "equal," nor are locomotive drivers and their firemen.

(6) To all intents and purposes a suitable examination already takes place, although it is not an examination by the men. There is, probably, no mining district where a more efficient system of timbering is adopted than that pursued in Cleveland.

(7) As a matter of fact, the men's officials, notwithstanding the challenge thrown out to them three years ago, have never once been able to bring any evidence that any danger is associated with the assistant-deputy question. Their statements before this Commission are merely vague assertions on the subject. Mines where assistant deputies are largely engaged—Stanghow and Spawood to wit—have been singularly fortunate as to accidents. The dangers have been greater where the so-called "equal responsibility" of deputies prevails, but it is not for a moment asserted that the danger has been due to this cause.

(8) The following are proceedings of a meeting held on May 19th, 1905, between the Cleveland Mine Owners and miners, at which Mr. R. Donald Bain, the Government Inspector for the district, was present:—

#### CLEVELAND MINE OWNERS AND MINERS.

##### Re ASSISTANT DEPUTIES.

Pursuant to a suggestion from Mr. R. Donald Bain, H.M. Inspector of Mines, representatives of the Cleveland Mine Owners and representatives of the Cleveland miners held a joint meeting with Mr. Bain at the Cleveland Mine Owners' Offices, Middlesbrough, on Friday, the 19th May, 1905, at 2.45 p.m., in order that he might hear what both parties had to say with regard to a complaint made by the miners' officials respecting the employment in face deputy work at some mines of men who were not all of the same status—a system alleged to be unsafe.

##### PRESENT:

R. Donald Bain, Esq.

MINE OWNERS' REPRESENTATIVES.	MINERS' REPRESENTATIVES.
Mr. W. Johnson.	Mr. Toyn.
Mr. A. F. Pease.	Mr. Hobbs.
Mr. G. A. Burton.	Mr. Stephens.
Mr. W. Charlton.	Mr. Moore.
Mr. D. W. Dixon.	Mr. Hornby.
Mr. C. Heslop.	Mr. Cooper.
Mr. W. Moore.	Mr. Lawton.
Mr. P. H. Stanton.	Mr. Walker (North Skelton).
Mr. J. Thomson.	
Mr. W. Walker.	

Mr. Bain took the chair by request of the meeting.

Mr. Bain said he had had the pleasure of meeting the men and the employers separately when the question which the present meeting was held to jointly consider was fully gone into, and, as he had already pointed out, an inspector could not take any responsibility in regard to the appointment of officials or other persons at mining work apart from the question of safety. The inspectors were always anxious to do all in their power to further the interests of safety.

Mr. Toyn, representing the men, said that the question had been on the board some considerable time. The idea on their side was that Cleveland was drifting into a system which was not so safe as what was called the old system. The old system was said to be that generally the best men were taken to make them into deputies on account of their

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having some knowledge of the roof and duties required. Messrs. Bell Brothers', Messrs. Bolekew Vaughan & Co's, and part of Messrs. Pease & Partners' mines were still working on the same principle, which had been believed to be the best and the safest. In recent years it was said that some of the firms had drifted into another system; instead of two practical men being together one was experienced and the other inexperienced. In the colliery districts one man alone could do the deputy work and carry his saw and timber under his arm, which could not be done in Cleveland: instead of two pairs of eyes and the judgment of two men, one man in Cleveland had to look after the safety of the other man; there had been an increase of late in the number of accidents to deputies.

(8) Mr. Toyn mentioned the case of a man named Parkin who lost his life in 1903 at Loftus mine; but it was pointed out on the Owners' side that this man was not an assistant face deputy, the class to whom attention was drawn in the complaint.

The case of a man named Brown, who lost his life in 1901 at the same mine, was also mentioned, but in this case the man was a most experienced deputy and receiving the full rate of a deputy.

The case of a man named Robson, who lost his life at Spawood mine in 1903, was named, and in this case the man was what is called an assistant deputy, but it was admittedly impossible to say that the accident would not have occurred if the man had been known by some other designation than that of an assistant deputy. The employers' representatives contended that the question of experience or otherwise had nothing to do with the accident in this case.

The owners were said to pursue a choose-pairing policy in engaging, say, two men at different rates and throwing the responsibility on one of the men; efficiency was thought to be thereby reduced.

The managers present said that it was a custom, and a necessary one, to regard one man as having the responsibility whatever the rates of wages might be; if it were otherwise and both men were treated as absolutely equal, one might blame the other so that the responsibility could not be fixed—a view to which there was some demur from the men's side. The man who examined the working places in the morning was the one which the managers said was called to account for the condition of the places; this was certainly the practice at Eton; where, moreover, there was no complaint as to assistant deputies being engaged at all. Three deputies (not two only) usually go together at Eton on account of the height of the seam, and it might be the first or second of the three men who was held responsible.

It was suggested that the men's representatives should point out what men were employed as assistant deputies that were not qualified for the work they had to do, but there was no response.

With regard to the allegation that the practice of employing assistant deputies was a new one, a mine (Normanby) which had been long ago worked out was named on the owners' side as one where the practice prevailed, and it had never been suggested that danger had arisen from the practice there. The oldest mine manager present (Mr. W. Walker) said that the practice had been in operation ever since he knew Cleveland, and his experience extended over a period of 40 years. It was urged that the men's representatives ought to put their fingers on the incompetent men, but it was frankly admitted that it was not thought the managers would knowingly engage men that they thought it unsafe to employ.

When it was hinted that the men's representatives simply wanted to secure by their present action higher wages for a certain section of the men, the answer was that they were not putting so much stress on the matter on the ground of wages as on that of safety.

At mines where there were admittedly some assistant deputies employed, it was stated that this practice did not prevail throughout the mine, some of the men working together being paid alike; besides, what were termed assistant deputies were in a large degree old miners who were not strong enough to continue working as stone getters and who were glad of employment as assistant deputies. At Spawood Mine, where there were several of this class, it seemed that they had had even a longer actual experience in mining work than the higher paid deputies proper who took the lead—the deputies' mining experience being subsequently stated as an average of 10 years and the assistant deputies' experience as 16 years.

Some of the owners' representatives expressed themselves strongly against having their freedom interfered with as to whom they should employ so long as they carried out (as it was not denied they had) the requirements of the law in having the signed reports on the condition of the mine made by the proper deputies.

Prior to Mr. Bain leaving, an expression of the owners' views was given to the effect that they did not believe there was any good ground for the assertion that the system adopted was unsafe; if they were convinced that there was any question of safety involved a different system would be pursued.

Mr. Bain left to catch the 3.45 train back to Durham,

a vote of thanks having been first accorded him for his attendance.

Mr. A. F. Pease occupied the chair for a short time after Mr. Bain had left, but the purpose of the meeting was concluded with the departure of the Inspector.

Jno. DEXINGTON,

Secretary.

Cleveland Mine Owners' Association.

So-called "equal responsibility" as between two persons is a thing which probably has no existence, in fact, in any relation of life. Even where there are two deputies working together and paid alike it must not be supposed that the system always works smoothly. The two persons not infrequently differ because one of them considers his judgment superior to that of his fellow workman, and cases have sometimes occurred where the "equal responsibility" men working together have been dismissed because of difference between them and the consequent danger that was thought to arise from such difference. Where two deputies go together and get the same wages, they do not, as a matter of fact, attempt to claim equality while working, as in one week "A" acts as the leading man of the two and his mate "B" acts as the leading man in the next week. Yet notwithstanding this mode of procedure, it is self-evident that one of the two men is the permanent superior of the other, and not merely superior for the time being.

(10) The minutes of the meeting above referred to show that the system is not new, as has been alleged on the part of the men's officials, but has probably existed more or less as long as Cleveland has been a mining district—which is only a little more than 50 years. At the Stanghow Mine, viz., one of the mines where the assistant-deputy system prevails, and of which I can speak with full knowledge, the fatal accidents over the past ten years have been three in number, and one of these occurred on the surface through a man being kicked by a horse.

(11) The output of the mine in the ten years has been 2,086,119 tons—without counting the shale brought out with the stone. The output of clean stone per life lost has been 695,373 tons. The men have to win the shale as well as the stone, and as the shale represents one-third part of the seam, the output of the ten years should be put at 3,129,178 tons, or a total quantity per life lost of 1,043,659 tons. The deaths at this mine have equalled 0.94 per 1,000 persons employed, which includes the surface death from the kick of the horse.

The Home Office statistics relating to the Coal Mines for the years 1904 and 1905, which may be regarded as about typical years, give the following as the average outputs relative to deaths:—

Number of deaths per 1,000,000 tons of mineral raised:		
	1904	1905
	4.37	4.74

The Stanghow Ironstone figures stand as under for the 10 years 1898—1907:—

Deaths per 1,000,000 tons of clean stone	1.43
Do. taken over all the material raised	0.95

This shows five times the quantity of ironstone and shale to coal won per death.

There has only been one fatal accident from falls at Stanghow Mine, and 5,000,000 tons of stone and shale have been won for this one death.

(12) Where, as at Stanghow, power machines are used the shot-firer undertakes a large part of the deputy's duties. The shot-firer is even a more experienced person than the deputy. The men with machines are not novices, as some of the previous witnesses would lead the Commission to infer.

Neither Braithwaite nor anyone else at Stanghow ever complained of the size of the districts allotted to the deputies. He was employed at Stanghow from April, 1895, till January, 1899, first as a shifter and afterwards as a deputy. It may be mentioned that the witnesses Toyn and Stephens have never worked where power machines are in use.

(13) The quantities of clean stone won at the associated mines in Cleveland per life lost for each of the past 10 years have been:—

1898	622,591 tons.
1899	316,726 "
1900	414,775 "
1901	423,482 "
1902	806,027 "
1903	456,694 "
1904	430,383 "
1905	654,086 "
1906	311,898 "
1907	441,300 "
Mean	490,606 "

These figures would indicate deaths for Cleveland stone per 1,000,000 tons 2.03.

(14) The deputies and their assistants are not paid by piece, and therefore can work deliberately, as they do, there being no temptation to hasten unduly and leave the work improperly finished.

(15) It is probable that every man in Cleveland who is now known as an assistant deputy would be deemed quite efficient by the men's witnesses if an advance of wages were conceded, as it is thought by the employers and managers that the real question is one of some additional remuneration, which the law does not attempt to interfere with. Enquiries in Cleveland before an Umpire have, during recent years, taken place respecting the wages of deputies proper and also of men who put up timber away from the face. The men did not gain their point in those arbitrations, therefore they turned their attention to the assistant deputy and apparently wish the Commission to act as a court of arbitration respecting wages. It is suggested that the men have sailed to the Commission under false colours in this matter in speaking of danger, for which they have not a shadow of proof. Mr. Toyn appears to have admitted practically as much before the Commission, perhaps without intending it, as under Question 28942 he speaks of the assistant-deputy system being adopted on account of a desire to work "on the cheap." Any manager having under his care mines of inferior quality such as some of those that I have had to deal with (Stanghow in particular) will readily admit that economy (we will not call it cheapness) is something not to be disregarded. For many years the Stanghow Mine stood entirely idle. It has, unfortunately, changed hands more than once as an unprofitable concern. Owing to the difficulty of separating the shale from the ironstone at this mine, very expensive machinery had to be erected to enable the mineral to be properly sorted. The same condition of things, unhappily, prevails at some of the other mines, more especially at Spawood Mine, adjoining the Stanghow Mine. The question is whether the men prefer to see a mine standing idle or to be bound with work under the reasonable conditions which have prevailed. Had not the special machinery for eliminating the impurities been adopted at the inferior mines they must still have remained unworked. The Cleveland ironstone is rapidly deteriorating in quality, the best mines being largely worked out.

(16) As to the subject of timbering at fixed distances, which was referred to at the sitting on the 7th November, the deputy in Cleveland puts in timber where it is deemed necessary: in many cases the props or baulks are necessarily placed close together, while in other instances there is no need whatever for any timber over wide areas. If the managers of the mines were called on to fix maximum distances for timber it is feared this would be taken as relieving the deputy from the full responsibility of relying upon his own judgment. When the suggested uniform distances for coal mines were proposed in 1902, the Cleveland managers, as well as the men's representatives, agreed that they could not call to their recollection a single instance where timbering, as suggested, would have prevented any accident which had occurred, and there is great doubt in the minds of mines managers whether the system has been effective where applied. The thick Staffordshire coal was exempted from the timbering regulations, and there were equally good reasons for excluding the Cleveland mines. An exemption was by desire of men and employers in Cleveland granted by the Home Secretary. The winning of the ironstone is attended with dangers common to mining generally, and the danger is increased in Cleveland by reason of the height of the seam and the great specific gravity of the ironstone. The height varies from 7 ft. to 18 ft. or more. The Stanghow seam is about 7½ ft. high. Two-thirds of the accidents are due to falls which occur at the face and where it would be impossible to set timber, seeing that the stone has to be blasted down with powder just where the timber would probably have to be put in to avert a fall. The miner at the face necessarily incurs a risk whatever may be done for his protection. Over the past 10 years the accidents at the associated Cleveland mines have averaged 1.72 per 1,000 persons employed. The figure is higher than we like to see it, but it is not connected in the slightest degree with the assistant deputy question, as where the seam is highest and the danger greatest, it so happens that two or even three experienced deputies go together. The year 1906 was, as regards accidents, the worst for some years:

but there were in that year three surface accidents, while surface accidents at the associated mines in Cleveland only average over a long period half a life lost per annum. Of course a single year is no fair criterion.

(17) \*The general death rate of persons employed above ground and underground at all the mines in the Kingdom (i.e., coal and other mines combined) for the 10 years 1897-1906 was 1.290 per 1,000 employed.

(18) Something was said on November 7th about the accidents on inclines. The Eton Mine was specially named in this connection; but on inquiry we find that for 20 years there has been no fatal accident on the inclines there; and we are not aware that there have been such elsewhere. The statement on this subject was even more haphazard than some of the other statements.

There was a surface accident at Eton in 1906, but this was the case of a man killed in the sawmill through being hit in the abdomen by a piece of wood. This accident could as easily have occurred at any place altogether unconnected with mines.

(19) The mine owners and managers of Cleveland welcome examinations by the men. The men's representatives, indeed, were frank enough to say as much when before the Commission in November, 1907. The appointment of a working man inspector would, however, be rather a different matter. While every attention is paid to suggestions coming from the men after their examinations, the position would be altogether different if an inspector of workmen's status were armed with anything like the authority with which the present qualified inspectors are invested. The men's spokesmen almost seem to think an educated person could not possibly possess any practical experience. All inspectors should, it is thought, first pass an examination to prove their ability to direct or criticise others. There are, no doubt, some working men quite capable of complying with the requisite conditions. Certainly no exception would be taken to an inspector merely because he was from the ranks of working men. Let him, however, show that he is qualified for the office he fills.

48587. (Mr. Rutcliffe Ellis.) You are resident at Saltburn-by-the-Sea, in the County of York?—Yes.

48588. You are a mining engineer?—I am.

48589. Are you a member of the Council of the Cleveland Ironstone Mine Owners' Association?—I am.

48590. I believe you have been so for 35 years?—I have.

48591. That is to say, ever since the formation of the Association in 1873?—Quite so.

48592. Have you under your own charge three ironstone mines, among them being the Stanghow ironstone mine belonging to Messrs. Cochrane & Co., who are members of the Cleveland Mine Owners' Association?—Yes.

48593. I believe the entire output of ironstone in Cleveland in the year 1906 was 6,102,223 tons?—That is so.

48594. You think that for the year 1907 the output would have been very similar?—Yes, I do.

48595. Those returns are not yet available?—No, they are not.

48596. With regard to the mines connected with your Association, the output in 1906 was 5,302,223 tons, and in 1907 5,295,605 tons?—That is so.

48597. That is to say, you practically represent the whole of the Cleveland ironstone district?—Seven-eighths of it.

48598. Seven-eighths of that district is represented by that Association?—That is so.

48599. That Association is represented by you and your colleague, Mr. Charlton, here to-day?—That is so.

48600. I believe the number of men employed at the associated mines at the end of 1907 was 6,971?—Yes.

48601. If your output shows that you represent practically the whole district, then from the number of men you employ it would pretty much follow that you represent the district?—That is so.

48602. I understand that you come here to-day principally to refer to some statements that were made by representatives of the workmen from your district?—Yes, that is so.

* Persons employed in 1906—	Coal mines	867,152
	Iron "	16,840
	Other "	28,584
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		912,576

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48603. Their evidence was given, I think, on the 7th November last?—Yes.

48604. The evidence was given by Mr. Toyn, was it not?—By Messrs. Toyn, Stephens, and Braithwaite.

48605. Will you refer to the particular question and answer upon which you wish to offer some comment. Was this the point, that it is suggested that the appointment of deputies should be placed in the hands, not of the manager, but of two practical miners appointed by the men along with the manager and his under-manager?—That is one point.

48606. That is one point you object to?—Yes.

48607. At the present time the deputies are appointed by the manager?—They are appointed by the manager.

48608. Are they appointed after any examination by the manager as to their qualifications?—In every case when a deputy is appointed it is from the personal knowledge of the manager when he has been working under him for some time.

48609. So that really it is an examination that has extended over some months probably?—Probably some years.

48610. He sees his qualifications and selects him for that purpose?—Yes.

48611. When you speak of a manager do you mean the certificated manager of the mine?—Yes, the certificated manager.

48612. It is not brought to the general manager's attention?—No, he has nothing to do with it.

48613. In your judgment, are the persons appointed by that system qualified persons to do the work?—They are, perfectly.

48614. Will you state your objection to the suggestion that it made that this appointment should be made in conference with the men?—We should probably find that when the men came to examine any person as to his fitness to be a deputy or not they might prefer a man who is not fit for the position and we should not agree. When the manager is responsible he does not like to be interfered with as to who shall do the work.

48615. You say the manager is responsible and that the court which is suggested would have no responsibility of all. In fact you say that the person who is responsible ought to be the person to select the officials?—Quite so.

48616. Because he is responsible for them?—The managers as a body feel very keenly on this matter, and they object to being interfered with by a third person who would have no responsibility in the appointment of the deputy or any other man to fill any other position.

48617. In your view, I take it, such an alteration would not conduce to safety?—It would not at all.

48618. Do you wish to say anything further upon that point or have you said all you wish to say?—I think that embraces the whole of what I have to say.

48619. Is there any other point in Mr. Toyn's evidence on which you wish to make some comment?—There is the assistant deputy question.

48620. What is the practice now with reference to the assistant deputy?—In all the mines the deputy who is responsible for a particular district is the deputy who does the examination in the morning, and he has a mate, because the character of the deputy's work in Cleveland in the setting up of the heavy timber entails the necessity of having a second man. But the former is the responsible man.

48621. Which man is that?—The man who makes the examination in the morning; he is the responsible deputy. We look to him and to him alone for anything that occurs in his district.

48622. You say that there is some of the work which he will not be able to do without an assistant, and therefore, he has an assistant?—He could not put up the timber in the mine without an assistant.

48623. Who appoints the assistant?—The manager; and the assistant gradually acquires the knowledge necessary to qualify him to become a deputy. I happen to have a photograph here which would explain far better than any words of mine the character of the timber that has to be put up, and which will show the necessity of there being two men working together. (*Handing a photograph to the Commission.*)

48624. (*Mr. Enoch Edwards.*) You mean that that is

the timber which is set up by the deputies?—Yes, that is the timber which is set up by the deputies.

48625. (*Mr. Ratcliffe Ellis.*) At Question 29,035 Mr. Toyn was asked "Do you know of cases where unpractical men have been allowed to put up timber in dangerous cases?" His answer was "I could not say that I have known such cases. Of course these assistants have gone to put it up." The objection made by Mr. Toyn to the appointment of these assistant deputies was that in his opinion there should be no assistant deputy?—Mr. Toyn suggests that the assistant deputy should be paid the same rate of wages as the deputy who makes the examination, and he further says that where they are not paid that same rate they are not therefore qualified.

48626. Then it comes to be a question of the qualification of the deputy and the assistant-deputy?—Entirely.

48627. Is the same method adopted in selecting the assistant deputy as the deputy?—Quite.

48628. Are they required to have certificates of any kind?—No; none whatever.

48629. Do you think it would be conducive to safety if the deputy or assistant-deputy were required to pass an examination by some outside body, and required to have a certificate of competency?—No.

48630. Do you think that if that were made the law it would exclude a number of persons from these appointments who are otherwise very well qualified to do the work?—Yes.

48631. And to that extent, therefore, it would be rather prejudicial to safety than conducive to safety?—Yes.

48632. In your view is the present arrangement a satisfactory one from the point of view of safety?—It is quite.

48633. Now, with reference to the districts these deputies have to travel, are they, in your opinion, unduly large?—No, not at all.

48634. Are they from time to time brought under the notice of the management to see that they are not too large?—Yes.

48635. Have the deputies other work to do besides looking after the safety of the mine?—And putting in the timber.

48636. Have they to look after the traffic of the mine?—No, very little of that.

48637. If the manager finds that a district is getting too large he revises it, I suppose?—Yes.

48638. Do you think it possible to make any suggestion for any rule providing as to what size these districts should be in relation to the number of men, or the output of the mine, or the superficial area of the district. Is it, in your opinion, possible to make any rule?—Not at all, because the extent of the district must necessarily depend on the physical conditions attending each case.

48639. Would you be prepared to approve of this, that the inspector should have the power to say when a district is too large, and require it to be altered absolutely, that is without going to arbitration about it at all?—I should not object to that at all.

48640. You would not object to giving the inspector power to say when he thought a district was too large and to lessen it?—Not at all.

48641. Would you object also, as being against safety, that you should not be entitled to discharge a deputy without the sanction of the inspector?—I should object to that.

48642. You think the management should have control over its officials?—I think the manager, being responsible to the law, must have a free hand.

48643. You think that your system that the assistant should, in the first instance, join the deputy is a good system?—Yes.

48644. Do you think it does secure competency?—I do not think it can be improved upon.

48645. Have you any experience of deputies being afraid to make a report for fear of losing their situation?—Not the slightest.

48646. You have never had a case of that sort?—Never.

48647. And you do not think it exists?—I do not.

48648. In the notes you have given to the Commission you give an account of a meeting held in 1905 at which Mr. Bain was present?—Yes, I give the minutes of the meeting.

48649. Was that meeting convened to consider this question of deputies?—Entirely.

48650. Is there anything that you wish to call special attention to on this question of deputies beyond what you have stated in your notes?—I wish to call attention to a statement made by one of the witnesses here who made special mention of this particular mine, Stanghow, of which I am manager.

48651. Who was that witness?—Mr. Braithwaite.

48652. Can you refer to what he said. When did he give evidence?—On the 7th November.

48653. What is the answer of his that you object to?—He said that the district was too large, and that he was obliged to give it up because he was afraid of the responsibility.

48654. (Chairman.) He said he could not get round in the course of the shift to see what was going on, and I asked him "The consequence was that sometimes working faces would be left unexamined by you during the whole shift?—(A.) Yes, till the next morning."—Yes, he had three mates, and they were all equally experienced with himself.

48655. (Mr. Ratcliffe Ellis.) This is the Stanghow mine; there is no doubt that is the mine to which he was referring?—No doubt about it; he mentions it.

48656. How many fatal accidents have you had during the period when you say this 5,000,000 odd tons of stone and shale have been taken out. Up to what period was that?—Up to a period when there was not any accident at all.

48657. You say there has only been one fatal accident from falls at Stanghow mine, and 5,000,000 tons of stone and shale have been won for this one death. That is during the whole life of the mine, is it?—That is to the end of 1904.

48658. From when?—From its commencement.

48659. When was it commenced?—It was commenced in 1873 and went on to 1876, and then stood for 14 years; then it went on from 1890 and has continued.

48660. You have had only one fatal accident?—From falls of roof, and that fatal accident did not occur till six years after this man had left.

48661. When did he leave?—He left in January, 1899.

48662. How many men were working in his district?—There were two machines working; there would be 24 fillers and six machine men, that would be 30 altogether in the district which he was in, and he had three men to assist him of equal qualifications with himself.

48663. Did you ever get any complaint from Braithwaite that the district was too large for him?—Never a word, and I used to see the man several times in a fortnight. I never knew anything about it till I happened to get these minutes put in my hand and read them, and I was very much surprised.

48664. That was the first you knew about it?—Yes.

48665. He had four to examine this district?—Yes.

48666. How many shifts?—One shift.

48667. (Chairman.) He says sometimes I have had four, sometimes six or eight?—We say that is not correct.

48668. You say he always had four?—He afterwards had four.

48669. You think the four and himself were quite sufficient to make every examination?—Quite.

48670. And to do all the work that had to be done?—Quite so. I inspected personally twice a week.

48671. During the period he was working there I understand that you had no fatal accidents from falls of roof?—We had not till six years after he left, and we worked during that period 5,000,000 tons of material without any accident at all excepting this particular one. Speaking about the examinations as being conducive to increased safety of the mine, I think the witnesses rather gave a wrong impression as to what was happening in Cleveland. The monthly examination by the miners themselves is only a recent institution.

48672. Are you going to another point now?—It is all the same question.

48673. Are you not going to the examination of the mine by the workmen under General Rule 38?—That is so.

48674. Is it usual in your district to make that examination under General Rule 38?—There have only been

three such examinations made in Stanghow mine during its lifetime, and the first was in October, 1907.

48675. Then they have recently begun to make these examinations?—Yes. Mr. Toyn claims for his constituents that it is by these examinations that they have increased the safety of the mine. I say it cannot be the case, because they are of such recent date.

48676. What you say is that this very satisfactory immunity from accidents that you have enjoyed was before the miners had taken it into their heads to make examinations?—That is so.

48677. I take it that you do not object to the examinations?—No, not at all.

48678. Have the examinations which have been made recently been made by men employed at the mine?—Yes, men at the mine.

48679. It is suggested that the right should be given to men who are employed elsewhere, and who are not practical miners?—I do not think that would be an advantage.

48680. You think it ought to be confined to practical miners and men who are actually engaged at the mine?—That is so.

48681. Is there any other point that you wish to mention on that subject?—Mr. Toyn raised a question about fillers being taken on who have had no experience in the face. He makes a great point that a man would not be qualified to be a deputy unless he had had two years' experience in getting ironstone. We have no miners at Stanghow. We have power machines in use, and it would be impossible to train men because we have not men getting stone in the sense that Mr. Toyn means.

48682. The duty of the deputy is not to get stone at the face?—Not at all.

48683. He has other duties to perform of an entirely different character?—Yes.

48684. In your view, a man to be qualified as a deputy must have something beyond having a knowledge of getting stone at the face?—He must.

48685. Do you think that having some knowledge at the face would disqualify him if he had other ability?—Not at all.

48686. Do you think that he might get sufficient capacity to be a satisfactory deputy without having worked at the face at all?—I have worked at a mine for over 20 years, and I think three-fourths of the deputies of that mine were men who had been simply fillers because we did not get stone by hand, and they had to train themselves, they went from being fillers to assistants, and then from assistants to being deputies, and there was no accident resulting from their working during the whole of that time.

48687. The work was carried on under similar conditions to what it is now?—Entirely. It was a very bad roof requiring considerable quantities of timber.

48688. Is there anything that you wish to call special attention to beyond what I have asked you?—I am most concerned to convince the Commission that the Stanghow mine has not been carried on in the careless way suggested.

48689. It has been suggested by Mr. Toyn in answer to Q 29942 that there is some laxity in the management. I believe you would agree that the statistics show that accidents and deaths from falls of roof and sides are somewhat high in connection with Cleveland mines?—Yes.

48690. I believe you have no timbering rules in force?—We have no special timbering rules in force.

48691. Can you offer to the Commission any suggestion as to how this high rate could be reduced?—No, I cannot. I do not think the timbering could be improved upon. I do not think that the men we have putting the timbering in could be improved upon, and I do not think that the system in any way can be improved upon.

48692. You have special physical difficulties which you cannot deal with more satisfactorily than you do at the present time?—That is so.

48693. Have you adopted any system of systematic timbering?—Not at all. We put timber in in every conceivable way to suit the circumstances, and we have men specially trained, brought up to this particular work, and brought up to the particular character of the seam, and everything is done that should be done. We think

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\* See Minutes of Evidence, Vol. III., page 326. Q. 29944—60.

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there is no better timbering done anywhere in mining than it is in Cleveland.

48694. Have you noticed that in some mines there are more accidents than in others?—Yes, the higher the seams the more liability to accidents. I know all the mines pretty well.

48695. Is the method of timbering the same throughout?—Entirely. Of course where you have a seam 18 to 20 ft. high it does not take a large stone to cause an accident.

48696. Is there any foundation for the suggestion that you are trying to do it on the cheap in any way?—Not at all. We try naturally to do everything we can to keep the mines going. We are dealing, you must understand, with 33½ per cent. of shale in the middle of the seam, which we have to take out, and which costs as much as the ironstone; we have to take it out and pass it over cleaning belts, and then throw the shale away and pay for land to put it on.

48697. So that consistent with carrying on the mine at all you think that you are doing everything you possible can to secure safety?—I am certain we do. I am positive of it.

48698. (Mr. Enoch Edwards). Have you had any experience in the North of England outside Cleveland?—I was brought up in the County of Durham.

48699. Does the term "deputy" imply the same person in your case as in Durham?—Yes.

48700. With similar duties?—Yes.

48701. You have referred to a deputy who was formerly at the pits that you were at who gave evidence here?—Yes, Braithwaite.

48702. He was a deputy?—Yes, he was a deputy.

48703. When you were manager?—Yes.

48704. So that he is a person you know?—Yes, quite well.

48705. You have no reason to doubt the man's honesty in giving the evidence which he gave here?—Except that I do not think he gave it correctly.

48706. You do not think that he intentionally came before the Commission to give incorrect evidence?—It is a long time ago since he was deputy there. He left in 1898 or 1899.

48707. Is he a deputy now at any other colliery?—I do not think so.

48708. He is working in ironstone mines?—He is working in an adjoining mine as a miner getting stone.

48709. Is there much difference between the payment of a deputy and of a miner?—No, they are practically the same.

48710. So that he has gone back from the position of deputy to that of an ordinary workman?—To that of a miner.

48711. What do you mean by the term "miner"?—A man who gets stone.

48712. That is what you mean in your case?—There is no man in my case who gets stone. We get stone by a power machine. Our ironstone is very much harder than that of the neighbouring mines. We are further south, and the further south you go the harder the stone becomes.

48713. You do not know at all the nature of the ironstone they get in North Stafford, I suppose?—No, I do not know it.

48714. You do not know whether it is harder than that?—I do not know, but if it is as hard as the stone at Stanghow Mine it would be too hard for a man to drill.

48715. They drill by machines?—Yes, power machines. We get perhaps 6½ h.p. on the nose of the drill; we have compressed air, and it would take a man an hour and a half to do as much as that machine will do in two minutes.

48716. The collier is not the man who is with the machine?—No, the man who is with the machine is the machine man.

48717. What is the miner, as you call him?—We have no miners; the machine is the miner in our case.

48718. What do you mean by Braithwaite going back as a miner?—He went back to get stone as a miner in an adjoining mine where the men get stone by a rotary machine by hand, where the stone is very much softer. Here is a photograph showing the machine. (Producing a photograph.) That is the machine man and that is the machine man's assistant, and the shot-firer is another man

who follows the machine to charge the holes. The machine man and the shot-firer are in partnership. They pay for their powder as between themselves, and pay the assistant boy so much a day.

48719. They work under contract?—Yes, they have so much a ton, including the powder, and the labour of the machine man, the assistant and the charge man.

48720. The setting of timber is done by the deputies apart from contractors?—Entirely. I have another photograph which gives a very good illustration of the character of the timber. (Producing same.)

48721. They are rather heavy bags which you set?—Yes, they are all Norway timber. This other photograph shows the charger; he is charging a hole now in the face, and this (producing another photograph) is the filler at work.

48722. The suggestion that Braithwaite made was that he and his colleagues were not sufficient to do the work?—He had three mates.

48723. At that time?—The whole time he was there, and we had no accident of any sort till six years after he left.

48724. What was the nature of your accidents mainly?—We have only had two.

48725. Two fatal accidents, you mean?—Yes.

48726. I was referring to your general accidents?—We very seldom have any. The employment of these machines contributed largely to the reduction of accidents.

48727. What is the proportion of accidents in your ironstone mines compared with ordinary coal mines?—Taking them generally, both surface and underground, they are rather higher than what is generally the case.

48728. Do you get a number of accidents on the surface?—No, very few.

48729. If they are higher from what does that arise?—The principal element from which accidents arise in connection with ironstone mining is from falls of roof and sides in the face.

48730. The timbering in places which you entrust to the deputies is not paid for by contract, but by day wages?—Yes.

48731. Is that an element which enters into mining when men timber their own face and work under contract, but does not enter at all into your system, because it does not depend on the amount of material that is sent out?—No, they take their own time. We never call into question the time spent over their work.

48732. Yet you say the accidents are much larger?—No, I say they are slightly larger.

48733. Of course the number of accidents in mines is rather a reason for calling this Commission into existence?—Of course it is.

48734. If the number of accidents that you have is larger than takes place in collieries, what does that arise from?—During the past ten years the death rate of persons employed above ground and underground in all mines in the kingdom was 1·290 per 1,000 employed. We have fewer persons employed compared with collieries. The specific gravity of the ironstone is twice that of coal; therefore a man deals with a great deal more weight of ironstone than he deals with coal, and you should rather go by weight than by the number of persons employed. For every 1,000 tons obtained we have considerably fewer men, because the mineral we are dealing with is of a higher specific gravity.

48735. I was rather putting to you for the information of this Commission as to from what, mainly, do those accidents arise?—From falls of roof in the face and sides.

48736. Are your deputies always in the face?—They are practically so.

48737. Are the accidents to deputies or other workmen in the face?—To other workmen generally.

48738. Who would be the other workmen?—Sometimes drivers, and sometimes fillers.

48739. Drivers of ponies, do you mean?—No, drivers of horses; we have no ponies; they are all big horses.

48740. They go right to the face?—Yes, we have a very large tub, and we carry from two tons to two and a half tons in a tub; therefore we have big horses at the face.

48741. I understood you to say that the proportion of miners in the face was small, but that you have a number of drivers going to the face, and that the accidents are to

that class of workmen?—Yes, but we have very few, you must understand.

48742. Still, I understood you to say in answer to Mr. Ellis that you would like to see fewer accidents?—Yes, we would, but you must understand that I am speaking of a mine where the accidents are comparatively light; but they are put into the whole of the 15 mines, or whatever the number is in the associated mines, which goes to make up the average. The number of accidents in those mines where machines are employed are considerably less, and would compare favourably with a coal mine; but taking the mines in the district, the accidents per thousand persons employed are slightly larger than the coal mines. If you take it per thousand tons, or per million tons, obtained then it compares favourably for the reasons I have given you.

48743. Do I understand you to mean that the accidents where you have those machines in the pits, are very much less in number than the accidents in other pits where the men are doing the drilling themselves?—Yes.

48744. You say it is because you bring in the whole of them that the average is so high?—Yes.

48745. The accidents are some of them to the deputies and assistants themselves in setting these timbers, I suppose?—There are very few accidents to the deputies, but to the drivers and fillers and shifters and persons generally employed on the roads.

48746. Are they from falls of roof and sides?—Yes; when the weight comes on the sides they burst off.

48747. Do those accidents happen in places before they have been timbered, or where they have already been timbered?—Both cases.

48748. Of course the accidents are not to the deputies and assistants but to the other men?—They may be to the deputies and assistants to some extent, but very few to the deputies.

48749. Do the accidents happen to the other men by going to a place before it is timbered, or do they happen after it is timbered?—It may be both. I could not tell you off-hand.

48750. Still, you have had considerable experience?—Yes; I should say in both cases.

48751. You have a knowledge of your mine as to where the bulk of the accidents happen?—We have not very many accidents. Our total output is not a very large one compared with the output of the County of Durham. In connection with these machines you have only one person using powder to obtain a certain output that nine persons would probably be using powder for, and the person using it continuously gets more expeditious with it, and can handle it more safely.

48752. You are referring now to the type of accidents which arise from handling explosives?—Yes.

48753. I was rather putting the question with regard to accidents that arise from falls of roof and sides?—Yes. I should like to explain this at the same time; I was in Stanghow Mine on Tuesday last, and I asked the man who was charging a shot hole how long he had been a charger. He said 30 years. I said "What is your experience as to accidents?" He said "I have never had one." He had been 30 years getting ironstone with one of these machines, and he does the most dangerous work in our mine.

48754. He has never been laid off from an accident?—He has never had an accident.

48755. There is a sort of special providence which guards some men?—Some men run more clear than others.

48756. You suggest that the number of accidents from the use of explosives is less with you than it is in coal mines?—I think we have no right to crow about our being free from accidents as compared with Durham. I think they use more explosives in Durham, and of a more dangerous character, and yet have less accidents. That is my impression; so that we have not that need to crow with regard to Cleveland as Durham have.

48757. What was the purpose and the value of your suggestion to me that there was a man who had been 30 years at it, and had had no accident?—My purpose in referring to that was to show that by employing a machine, and concentrating the shot-firing in the hands of one man for the number of holes that a machine will drill as compared with a corresponding number of men which would be required to drill, you have less shot-firers. I am explaining why, in my opinion, the machines are safer.

48758. That is hardly what I was asking you?—I am sorry if I have digressed.

48759. I was trying to find out from you what was the cause of these accidents, and I understand you to say that they arise from falls of roof and sides often after the timber has been set?—Yes.

48760. What have you to complain about with regard to the evidence that Toyn gave before this Commission?—Mr. Toyn says that our management is lax. I say that our management is not lax. I say, on the contrary, that we are as diligent and as careful as men can be, and, having regard to all the circumstances, that our accidents are as light as we can possibly have them. There is no want of care; no want of expense and no want of looking after the work to prevent accidents in our case. Mr. Toyn accuses us of being cheeseparing; I say we are not cheeseparing.

48761. Braithwaite, I think, lays it down that there is more work than these deputies can do?—Braithwaite has never made a single complaint, and no other deputy has made a single complaint. I started that mine from a green field and sunk the pits. I have done everything to it that has been done, and until I saw the evidence given by Braithwaite in print I never heard a single murmur or anything of the kind.

48762. Not from the men?—Not from anybody.

48763. I suppose during those years you have met Toyn many times?—Scores of times. I am complaining of meeting him so often. I say he has no regard for a manager's time; and he is very often saying, "I would like to arrange a deputation with you."

48764. During all that time your attention has not been called to any lax management?—For years I have gone past Braithwaite's door as close as I am to you, twice a week. I have met Braithwaite at arbitrations on other matters, and I have never heard a single suggestion, either from Braithwaite or any other man employed by Messrs. Cochrane & Co., at the Stanghow Mine, to this day.

48765. Would there be any reason why the men should not complain to you?—Not at all; they know quite well that it is all right.

48766. I suppose on general matters they do complain to you?—If they have anything that they cannot get arranged with any other person, the under-manager, the engineer, or anyone like that, they come to me, and they think they can manage with me when they cannot with anyone else.

48767. You have no reason to give why a deputy, if he is understaffed, should not have spoken to you about it?—No, if Braithwaite had said that he had too large a district, and could not manage it, I would have remedied it at once. We have other men who were there previous to Braithwaite; men who have been there for 17 years, or 19 years, and they have never murmured or said a single thing. The men are perfectly content, and I have never had an objection made in any form or shape from anybody.

48768. I understood you to say, in answer to Mr. Ellis, that the workmen have not made these inspections under the Act till the latter end of last year?—The first one was in October, 1907. I have a note here of all the inspections they have made.

48769. Do many of your accidents arise from haulage?—No.

48770. I may take it that the bulk of the accidents do arise from falls of roof and sides?—I think so. In some mines we have separate travelling ways.

48771. I believe they have made three inspections?—My point with respect to that is this: Mr. Toyn gave you, gentlemen, to understand that it was in consequence of these monthly inspections by the workmen that they were bringing up the lax management in saving accidents. We draw your attention to the fact that they never started them till 1907.

48772. Will you tell me where he said that, because it was on the 7th of November when he was here?—Yes I believe it was.

48773. (Mr. Smilie.) Mr. Toyn may have been dealing with inspections that were made at other pits, and not yours at all?—He is speaking generally.

48774. He may have been perfectly right in speaking of other pits?—I do not think the inspections have become general until quite recently.

48775. If that is so you would be quite right, but can you prove that?—Yes, I can.

48776. Where does Mr. Toyn say that because inspections have been made under General Rule 38 accidents have been

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prevented?—I will look that up. We say that these inspections have not been the cause of the reduction in the number of accidents.

48777. (*Mr. Enock Edwards.*) Now you are speaking for the whole of Cleveland?—I am.

48778. Have you a pretty general knowledge of the whole of Cleveland?—I ought to have; I have been there 40 years, and I have been managing mines the whole time.

48779. You say that Mr. Toyn made a complaint, and said that things were mending now because they had made certain inspections?—Yes. He also said that we took people, and made deputies of them, that were not competent. I say that is not true.

48780. Does the manager at the colliery appoint the deputies?—When we want a deputy appointed the names of all the eligible men are submitted to me with the history of their experience, and I say: "Appoint that one."

48781. Then you make the appointment?—I make the appointment, virtually.

48782. I am speaking for your firm. You make the appointment of a deputy?—I make the appointment of the deputies for mines that I am connected with.

48783. Would it be possible from want of a more intimate acquaintance and knowledge of this particular individual or you to appoint a man yourself. You do not know them?—But I do know them. I know every man whom we employ.

48784. You say that every deputy you appoint there is, to your own knowledge, competent?—I do. He would not be appointed otherwise.

48785. You do attach great importance to their efficiency?—Certainly.

48786. What you say in reply to that is that "there are no deputies appointed in the firm of which I have charge whom I am not responsible for"?—Yes, that is true.

48787. And you know all their qualifications?—I know all about them. I could not know more about them if we had an examination extending over a fortnight.

48788. From your knowledge of Cleveland, would that be the procedure adopted at other mines?—I should say so. I have brought a specimen of the powder that we use. (*Handing a sample pellet to the Commission.*) I thought that might be interesting to you. I have also brought a specimen of a squib that we use for firing shots.

48789. Do you have many accidents from the use of this compressed powder?—No.

48790. Nor with the squibs?—No. I should think we use 1,500 tons of powder a year in the district, and I do not know of one accident.

48791. You think it would not reduce the accidents if these shots were electrically fired?—No. This method is far more simple than any electricity. These are manufactured by a man in Durham; we buy them at 8d. a hundred; we get them in boxes and supply the men with them.

48792. (*Mr. Cunningham.*) This is a straw squib?—Yes, they are right to the lb.

48793. (*Mr. Enock Edwards.*) You do not bore to any great depth for many of your shots, I believe?—Yes, they are all bored 3 ft. or 4 ft.; I took a great part in introducing the powder in compressed form on the starting of the machines, because in my opinion it is much safer.

48794. Mr. Toyn says, in answer to Question 28945, "The mine owners are not lax except in this particular point, so far as I know. I do not think they would do anything to cause an accident to a man; but in later years the men have become more accustomed to deal with the matter. We adopt the principle laid down by the Act, which we have a right to do, of sending two men round every month to examine, and those men do go round to examine. (Q.) It is only lately that you have done that?—(A.) We have been doing it for some time, but there is more of it done now." May they not have been making these examinations at other collieries than yours?—Not for any greater length of time.

48795. You say they have not?—No, they have not. It has all been started about the same time. We have been in existence since 1873, and it was 1907 before we had a monthly examination.

48796. What you say is that the chief point raised by Mr. Braithwaite, which was first of all that the management was lax in the mines and that the districts are too large for the men, is not true?—No, it is not true.

48797. I suppose you yourself go over this ground occasionally?—Certainly I do; and the same men who were working there then are working there still.

48798. (*Mr. Smilie.*) You say that you had only one fatal accident at your Stanghow Mine since you started?—From falls of roof, which has to do with the character of accident connected with timbering.

48799. You say that that accident has taken place since Braithwaite left?—Yes, since Braithwaite left.

48800. You would not suggest, I suppose, that it took place because he left?—No. It was not in his district at all. We have quite as competent men as Braithwaite; in fact I believe that the men he had with him when he was there were more efficient than he was himself.

48801. (*Mr. Enock Edwards.*) I do not understand you to suggest that you have anything against Braithwaite?—Not the slightest in the world, nor against anybody else.

48802. (*Mr. Smilie.*) It was put to Mr. Toyn that the statistics with regard to falls of roof and sides come out at 1/940 per 1,000 persons employed—11 persons killed for 9,000 persons employed from falls of roof and side. That was at Question 28060. Is not that high?—Yes, I think it is.

48803. Now turning to the number of persons employed in your Stanghow Mine, 11 persons killed in the Cleveland Mines, that is a far higher proportion than one per cent. killed by falls of roof in your mines since 1873. I mean if you take your Stanghow Mine and take it that only one death has occurred from falls of roof and sides during the history of it, that is a long way below the proportion?—Yes, I say that Stanghow Mine and the adjoining mine where these men are employed, whom Mr. Braithwaite complains of, come out much more favourable in respect to accidents than the other mines where the men are employed whom he approves of.

48804. Are you general manager for any other mine besides Stanghow?—I am.

48805. How do the accidents come out there?—Pretty much the same as at Stanghow. Stanghow is only mentioned in this matter because it is an associated mine.

48806. There are only 23 mines altogether in Cleveland?—That is so.

48807. If your other three mines work out so low for falls of roof and sides, does it not make it worse for the other 17 mines?—There is no denying the fact that the higher the seam the more accidents there are.

48808. Are those mines which are under your personal supervision as likely to have fatal accidents as the others?—No.

48809. Are they working under better conditions?—No, but you can see the roof. The physical conditions of the mine are better altogether, you have a seam of 7 ft. 6 in. as compared with 18 ft.

48810. Is there not an alarming difference between one accident from falls of roof and sides at one important mine as compared with 11 per 9,000 per year in the other mines?—Yes. You must remember that there is all the difference in the world in the physical conditions. In a low mine with 7 ft. 6 in. and 6 ft. 6 in. you can travel along and you can see the roof all the way you go, and you can touch it, but with a seam 18 ft. high you cannot touch it.

48811. Those three mines under your charge work out considerably better than the mines in any other part of Great Britain, even the coal mines?—I should not wonder at all if that is so.

48812. But you have as bad conditions in your mines for falls of roof and sides as they have in the coal mines?—No; in two of the three we are working in the "whole." In the Stanghow Mine we are getting 40 per cent. of the output from broken, but in connection with the broken we are taking down the mine the shale that is produced from this 2½ ft. that comes in between the top and bottom blocks of the seam, and we stow the goaf with it.

48813. Does that make it more dangerous?—No, safer.

48814. Do you know Mr. Stephens, who gave evidence here?—Perfectly well.

48815. He is not a miner now?—He is a deputy. He is a miner's agent.

48816. Have you any reason to think that Mr. Stephens would knowingly give evidence which he did not think was correct?—So far as machines and fillers are concerned, neither Mr. Stephens nor Mr. Toyn have worked at a mine where machines are working. They have had no personal experience. What they say about machines and about

fillers is hearsay evidence; it is not from their own personal knowledge.

48817. You are aware that Mr. Toyn and Mr. Stephens both gave evidence on behalf of the Cleveland miners and deputies?—I am aware of that.

48818. They both had long experience in the Cleveland Mines?—Yes.

48819. What proportion of the mines of Cleveland are worked with machines at the present time?—Six out of twenty.

48820. So that nearly two-thirds of them are worked by machinery?—By ratchet not by the ordinary hand method. They have been transferred from the jumping drill to a hand rotary drill.

48821. You deny that Mr. Stephens has had any experience of machines?—Or of fillers.

48822. To justify him giving evidence on the point?—Yes.

48823. But he has had sufficient experience to justify him in giving evidence as a deputy as to the extent of a deputy's district?—Yes.

48824. Mr. Stephens, at the time he gave his evidence, put it before this Commission that the districts are too large. Would you say that that is misleading?—I do not remember his saying that.

48825. I may be wrong about that?—Braithwaite said it was too large.

48826. Stephens at Q. 29280 agreed with Mr. Toyn that it would be necessary that some examination should be made for deputies before they were appointed?—We do not say anything against deputies being examined, but we do not see that it would make them any better, and we do not want to take any part in it.

48827. (*Mr. Enoch Edwards.*) But you do not object to it?—Not at all, they may go and be examined in anything as far as we are concerned, but it would not have any influence on us.

48828. (*Mr. Smillic.*) Would you not approve of it being compulsory for a deputy to have a certificate?—No, it would not send up the deputy in our estimation at all.

48829. You do not think it would improve him?—No, I do not think so.

48830. Do you think that Mr. Toyn is correct in saying that in his experience in seven mines out of 20 properly experienced officials are not appointed as deputies and other persons?—No, he is quite wrong.

48831. Do you think that he is speaking without full knowledge or deliberately saying what is not true?—I do not think that he would deliberately tell a lie. I do not accuse Mr. Toyn or any other man of making a deliberate false statement.

48832. As a matter of fact, your position is that, so far as Mr. Toyn and Mr. Stephens are concerned on that point as to efficient men being appointed, they are speaking of something which they do not know?—No, I do not say that. What I say is this, that we take an entirely different view of the position to what they do. We say the proper way to train deputies is to train them by deputies, and that a man to get a proper knowledge of a deputy's duties will get that by being an assistant to a deputy, and going day by day with the deputy. We say that in Cleveland, as in Durham, one deputy and one deputy only can be responsible for a district. We cannot have divided responsibility. The man to whom we look is the man who has charge of the safety of the district. He has charge of the district and the persons who are in it, and we look to him for an explanation of anything that happens.

48833. (*Mr. Enoch Edwards.*) He would have only one district?—That is so.

48834. (*Mr. Smillic.*) The setting of timber and the method of setting it, I take it, requires an experienced man?—It is very simple.

48835. Still it requires experience to do it rightly?—It requires a man who knows what he is about. All the men who are employed now as deputies and assistant deputies understand as well as possible how to do it, and we have never any complaint to make of them in any shape or form. They are all very estimable and very capable men.

48836. As a matter of fact you are rather proud of the setting of the timber in Cleveland?—Yes, I do not think there is any place where it is done better, and I say this conscientiously, without making any reflection on Mr.

Toyn or Mr. Stephens; I think if Mr. Toyn and his executive could get for the man as assistant deputy and deputy the same wages per shift as the man who makes the examination in the morning and who is responsible for the district, there would be an end to the contention. We have had several arbitrations of late in connection with the deputies and the men who do the timbering back-bite from the face to increase their wages. We never heard of this question until the umpires did not take Mr. Toyn's view, and then this came up. I have worked a mine up to 1903 for 22 years where we had no other system than the one that Mr. Toyn takes objection to. We had a very bad roof and very bad conditions, but we had no accidents, and we worked it on exactly the same principle. We were obliged to take the deputies from the fillers, not the miners, and very good men they were too. I had another mine where we turned out 2,600 tons a day, and we worked there for many years on the same principle without any accident. I had another mine, the Kirkleatham, and that worked for 16 years on the same principle without any difficulty. Mr. Toyn says the system is new. It cannot be new.

48837. You say you would not like to bring any charge against Mr. Toyn here of untruthfulness?—No, I should not.

48838. But you are now bringing against him a serious charge when you say that if the wages were all right there would be an end to the difficulty?—I think so. If you look at a copy of this evidence you will see it.

48839. We have really to deal with Mr. Toyn's evidence before this Commission. Is it your opinion still that if the wages of the assistant deputies had been the same?—Were made the same as the deputies who make the examinations and are responsible for the district.

48840. If he were paid the same wages he would not have complained of them being incompetent?—Yes, I think so.

48841. Then he is knowingly making a complaint of people being incompetent when they are not paid the right wages?—Yes. He comes here to help his cause. He wants these men to be paid more wages. He has tried all sorts of ways to do it. He has had a Government inspector there, and here are the minutes of a meeting held on the 19th May, 1905, between the Cleveland Mine Owners and miners, at which Mr. R. Donald Bain, the Government inspector for the district, was present. There is a full account of it, and Mr. Toyn there says that it is not so much a question of wages as it is of something else. "When it was hinted that the men's representatives simply wanted to secure by their present action higher wages for a certain section of the men, the answer was that they were not putting so much stress on the matter on the ground of wages as on that of safety."

48842. Mr. Toyn points that out?—Yes, Mr. Toyn points that out.

48843. Then you say he is not telling the truth when he is saying that, because he really wanted higher wages?—I do not want you to make me say that about Mr. Toyn.

48844. Is it your opinion that it was Mr. Toyn's view that it was a question of wages?—Yes.

48845. Not a question of efficiency at all?—I say they are efficient.

48846. He came and told this Commission that the second man, the assistant to the deputy, was not efficient?—We have asked him over and over again to give us the names of the men who are not efficient, and we would remove them. We invited them to do so at this meeting in 1905, three years ago.

48847. (*Mr. Enoch Edwards.*) After all, you do not dispute that the assistant is not as efficient as the leading man?—The assistants are on the whole quite as efficient as the leading man; some have had more experience.

48848. You suggested that you did not know a better way of training an assistant?—No, I do not. That is in the case of a mine like Stanghow, where we have no miners employed, but where we have machines employed. We cannot get the three years' experience at Stanghow and other places where machines are employed that Mr. Toyn laid down as an unalterable rule before they can be proficient in practical knowledge. We cannot have that, so that we are obliged to train them for being fillers. I tell you that in the mine that I worked in up to 1903 for 22 years, three-fourths of the deputies we had, the principal deputies of that mine, were trained from fillers, and very good men they were. We would not knowingly

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employ any man who is not efficient. It is not to our interest to do that.

48849. (Mr. Smilie.) In that photograph you produced you show a compressed air machine boring?—Yes.

48850. Is that what you call the face?—Yes, that is the face.

48851. When the boring and blasting is finished there the fillers come in to fill?—Yes.

48852. At the face?—Close to the face.

48853. Really, where the material is blown down—that is, at the face?—It is not blown down at the face, it is some feet away. I was at a place on Tuesday where it was six yards back.

48854. Is not the face where the boring is done?—Yes.

48855. The filling is done where it is blown to, either at the face or where it is blown to?—Exactly.

48856. Are those skilled persons, or are they sometimes persons who have had no previous experience underground?—We have had fillers since 1875, and, of course, as the older men drop off we get new ones starting. A man brings his son in, or brings his relatives, or brings his friends, and they go in pairs to fill; and that is the way we import them.

48857. Are they sometimes unskilled men?—Yes, men who have never been in a mine or seen a mine before.

48858. And they are working at the face?—Close to the vicinity of the face.

48859. They are working where the stones are blown down from the shots?—Yes.

48860. They require to be under the supervision of a skilled miner?—No, I do not know that they do.

48861. They are either long experienced fillers or some person who has had only a short time there. Those are the persons whom you may send with a deputy to learn their apprenticeship?—Yes. We generally send experienced ones.

48862. Persons who have been fillers for a considerable time?—Yes, that is, where we have no miners.

48863. That is where you have no men getting stone at the face?—Yes.

48864. With regard to those men who have to work ironstone, either with a compressed air engine or any other class, you would not be entitled to employ unskilled persons who had not had previous experience under a skilled person?—I think we are entitled. They are not getters.

48865. Who are the getters in a case of that kind?—The man who works the machine and the man who blasts the shots.

48866. Then you would not be entitled to start a person to work a machine at that face who had not had two years' previous experience under a skilled person?—No; I do not think we should attempt it.

48867. Where does the engine-man get his experience?—From being an assistant.

48868. He must have two years' experience under a machine-man?—He very often has three or four.

48869. In no case are they allowed to take charge of a machine for boring without having had two years' experience?—No, we do not violate the law.

48870. Is the person who bores the hole four, or five, or six feet in, and goes away to another face and bores a hole, is he the coal or ironstone getter under the Act?—No.

48871. Who is the getter in a case of that kind?—The shot-firer.

48872. Not the person who bores the hole?—No.

48873. Nor the person who fills the material?—No.

48874. But the person who fires the shot is the ironstone getter there?—Yes.

48875. It was pointed out here by Mr. Toyn that you had remarkably few accidents at the face with fillers?—Yes, very few.

48876. Although there were a considerable number of unskilled persons who went in under the supervision of skilled persons to fill?—No, there is not a considerable number there. The number that drop out for others to drop in is not great.

48877. Of course, where you increase the number of compressed air boring machines you reduce the number

of skilled miners at the face in all probability?—Yes. Assuming that we are going to introduce power machines, as we call them, into a mine that is being worked by ordinary miners, each machine that went in would displace 18 miners.

48878. You have put it here that if you compare the fatal accidents with the amount of tons produced you should take into consideration the specific gravity of ironstone and coal in order to come to a fair decision as to the real percentage?—Yes.

48879. The specific gravity of ironstone being considerably more than that of coal?—Yes.

48880. But to get out 1,000 tons of coal as compared with 1,000 tons of ironstone, would you not require to cover considerably more ground in the same thickness of seam?—No. If the specific gravity of the mineral is twice as much in one case as in the other you would only require to cover half the amount of ground.

48881. That is exactly how I put it. You would require to produce a considerably larger amount of coal than you would of ironstone?—Just in the same proportion as the specific gravity differs.

48882. That would not give rise to the same thing, as far as danger is concerned?—I do not think so. It is from the opening out of the fresh ground in coal so quickly where the danger arises.

48883. Exactly, that is my point; but you want us to take it that if we find that a certain number of persons are killed per 1,000 tons of ironstone produced we should take into consideration the greater specific gravity of ironstone?—I am afraid I have not made myself specific on the subject. What I have said is this—that it is hardly fair, in dealing with ironstone, to compare the deaths per number of persons employed, inasmuch as for 1,000 tons of ironstone obtained there are considerably fewer persons employed than there are in connection with obtaining 1,000 tons of coal.

48884. How do the accidents compare as per 1,000 tons produced?—The Home Office statistics relating to the coal mines for the years 1904 and 1905, which may be regarded as about typical years, give the following as the average outputs relative to deaths: Number of deaths per 1,000,000 tons of mineral raised in 1904, 4.37; in 1905, 4.74. Stanghow ironstone figures stand as under for the 10 years 1898 to 1907: Deaths per 1,000,000 tons of clean stone, 1.43; deaths per 1,000,000 tons taken over all the material raised, 0.95. This shows five times the quantity of ironstone and shale to coal won per death.

48885. I was wanting you to give us the figures for Cleveland. You have put it to us that there has only been one fatal accident in Stanghow since December. Naturally enough that will reduce at Stanghow to a very low point the rate per 1,000,000 tons. Could you give us the death rate for Cleveland per 1,000,000 tons?—I have given it in my proof. I have a strong point to carry with respect to Stanghow. I want to meet the assertion made by Mr. Braithwaite with regard to Stanghow not being properly worked. I say in my proof that the quantities of clean stone won at the associated mines in Cleveland per life lost for each of the past 10 years have been—and then I give the quantities for the different years.

48886. That is clean stone?—That is clean stone; it does not include the shale where the shale happens to be.

48887. Is that a fair comparison with the Home Office figures for the coal?—No, my contention is that the shale is just as dangerous to get, and that it should be included.

48888. (Mr. Cunningham.) And the small coal should be in also?—Quite so, but we send the shale to bank.

48889. You are making the comparison with clean coal in the Home Office figures. The output is only clean coal?—In Durham and everywhere other than South Wales they send small coal out.

48890. They do not send a good deal of dirt out?—The dirt is in a very different percentage to our dirt. In giving the Home Office figures we do not give the figures of the tons sent away; we give them the figures of the tons actually worked.

48891. (Mr. Smilie.) There are large stacks of dirt taken out of the coal over a series of years?—Yes.

48892. It amounts to 10,000 tons per week?—In our case the dirt is so much that we have had as much as 500 tons in a day.

48893. And so they have in large coal mines as well?—I have never seen one which has as much as 500 tons a day.

48894. (*Mr. Enoch Edwards*.) Unless they drive a stone drift?—They would require to drive several stone drifts. We have millions and millions of tons of shale.

48895. (*Mr. Smillie*.) In many coal mines they have a centre of dirt in the coal which may be a foot thick. They have to get the bottom coal and the top coal and get the centre of dirt and throw it back?—I am familiar with Durham, with Warwickshire and South Wales.

48896. And you do not know such a thing as that?—Yes, I do, but it is not very general.

48897. That would require to be taken into consideration?—Yes; ours is such a large quantity of dirt as compared with the others.

48898. I think it is fair to take it that a very small piece of ironstone falling on a person would prove fatal, whereas a piece of coal would not?—It depends on the height it falls.

48899. A piece of ironstone falling 6 ft. might prove fatal, whereas a piece of coal would not be fatal?—A piece of ironstone the same size would be double the weight of the coal.

48900. Many miners have been killed from falls of ironstone, where they would not be killed from falls of coal?—The worst part of our district is the high seams.

48901. That would make it all the more dangerous, of course?—In the high seams there may be the stone which has not come away with the shot; when they come to chop it out it falls on them, and a piece of stone falling from a height of 16 ft. is a very dangerous matter.

48902. You say that the managers are responsible for the management of the mine, and that they should have the full right to appoint their own officials?—I do.

48903. May we take it from that that the miners have no responsibility?—I take it that the miners have no responsibility at all, and that the responsibility of the men ends with his shift. I take it that the responsibility for everyone in the mine is on my shoulders.

48904. You are dealing with the responsibility to the law?—Yes. If somebody else wishes to come to me and take part in the appointment of any man, unless he is going to take a share in the responsibility, I say "Good-day."

48905. The miners' leaders say there are other responsibilities besides the responsibilities to the law. Do you say the miners in Cleveland and other districts have other responsibilities from the dangers by which they are surrounded when they go underground?—I do not think so.

48906. Who was it that was killed in those mines; were they managers or miners?—There have been both managers and miners killed. The responsibility that each miner has is to look after himself as much as possible. I say the manager of each mine is responsible to the law for any shortcomings on his part, and if he is going to be responsible to the law and to the firm to whom the mine belongs, it surely must be his prerogative to demand that he must have his own way, and must not have people coming to him and talking to him for nothing.

48907. But the mines inspector comes and talks to him?—Yes, and every attention is paid to a mines inspector. I should like here to mention something about the mines inspectors. We have no objection in Cleveland to mines inspectors at all, but we should have an objection to a deputy if he was appointed an inspector without passing the examination that the present inspectors pass.

48908. Have you any objection to persons reporting under General Rule 38?—I attach no value to it, but I have no objection to it.

48909. Suppose you found in that report they called your attention to some danger which they believed to exist, would you not attach some value to that by going and finding out whether they were correct?—Yes, I should.

48910. I take it you would like any intelligent miner to call either the under-manager's attention or your attention to any danger?—Certainly, I should be much obliged to him.

48911. You would not object to that?—Not a bit.

48912. Do you think it is possible for any miner working at the face to find out and call your attention to it?—Yes, I do.

48913. And you would rather court that?—Yes, I should, but I do not think managers would take so kindly to a man of the deputy class being appointed an inspector and coming to find fault with him as they would an ordinary inspector. Mr. Toyn thinks there is no one who can know anything about the matter unless he has been working in the face for three years.

48914. With regard to the appointment of deputies as inspectors, you would not object to a person having three or four years' experience at the face, provided he had the other qualifications?—Not the slightest.

48915. Other things being equal?—If he can pass the examination he is all right.

48916. I take it you have had long experience yourself?—Yes.

48917. Given two men of equal intelligence and equal physique and equal theoretical and scientific knowledge one having had several years experience at the face?—That is the man I would have.

48918. The other having no experience at the face?—I would give the former the preference.

48919. (*Mr. Craggsham*.) Why do you use gunpowder in your mines instead of high explosives?—Because high explosives would not be of any use. It is a very tough sort of stone, and high explosives would be too quick. If ironstone was of the same character as flint or a blacksmith's anvil or anything like that we should go for a high explosive. We have tried high explosives of every kind, and there is nothing, in my opinion, so suitable as powder in that pellet form.

48920. Is there any gas about?—There is practically none.

48921. The mine is worked with naked lights?—Entirely.

48922. Are you of opinion that naked lights are so advantageous where you can use them for greater light giving?—Certainly, they are an immense advantage.

48923. Not so much in the getting of coal as in the preventing of accidents?—Certainly, very much so.

48924. You feel certain of that?—Yes.

48925. How about high seams? Would it be more necessary to have naked lights in high seams?—Yes. I could hardly estimate how greatly the accidents would go up if we were obliged to use safety lamps. You could not see the roof.

48926. I suppose gas is no great danger there?—None whatever.

48927. Is there any inflammable dust?—None at all.

48928. Has there ever been in a pure ironstone mine a dusty explosion?—Never.

48929. Then it is for that reason that you would maintain that it would be useless to put in safety lamps?—Yes, safety lamps would be a source of danger entirely.

48930. Why do you use very large charges of explosives, because you do so, apparently?—Taking an average we use about one pound per shot.

48931. You seem to have a number of unavoidable accidents?—I do not think there are very many. I think we are comparatively safe, except in the high seams.

48932. It has been suggested by one of the witnesses that there should be prescribed a length of stemming proportionate to the amount of explosive put in. Would you have an objection to a rule of that kind being made?—I would.

48933. You see quite what one means. I mean, supposing one said three inches of stemming at least for every ounce of explosive used, or half ounce, or whatever the quantity may be. Will you explain to us why you would not like that?—There are blocks or interstices in the stone, and holes are put in with the view to take advantage of these backs, and to put in any less powder than they do now would simply be getting the stone at a disadvantage to the men; and, so far as the stemming is concerned, if they put eight pellets in they cannot use these safe squibs to fire with unless they are stemmed up to the outside of the hole.

48934. For eight pellets how much stemming would you use as a minimum?—Eight pellets would be 16 inches in 3 ft.; the difference would be 20 inches.

48935. (*Mr. Enoch Edwards*.) They stem close up, do they not?—In order to use the safe squibs they are obliged to stem right out to the surface of the hole, and that is the necessity for getting the fire down to the powder.

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When they put the powder in first of all they put in a copper tool, a prickler, and they stem tightly round the copper tool, and then they withdraw it and they put that squib in this hole at the outside: they light it, and when they light it the fire goes down the hole that this stemming has left and lights the powder.

48936. (Mr. Canyngham.) Will you explain to me because I have not yet understood it, why it would be objectionable to say that for every pellet used there should be so much stemming—as much more as you like, but not less than a certain amount?—So long as it would not prevent us using these squibs, I should not object to it.

48937. One or two witnesses have urged that in the interests of safety it would be desirable for each form of explosive to take care that not less than a certain number of inches of stemming should be used. That evidence has been given with reference to coal mines, and the managers who have come here have generally been inclined to agree with that. Now I want to ask you with regard to the ironstone mines?—Speaking of an experience of these compressed pellets of powder from 1877 up to the present day, I do not think we have had any accidents to complain of; nothing can be simpler and nothing can be safer for our conditions.

48938. I suppose that what you mean is that such a rule as that might be very necessary to prevent blown-out shots in mines where there was coal dust and gas to prevent the ignition of gas, but that it would not make very much difference to you, where there is no such danger; that is your point?—Yes, that is my point.

48939. What I understand you to say is that that last rule about the number of inches of stemming is of much more importance where you have dry mines and dusty mines; but that it does not hit you?—It would not do us any good. In some of the coal mines they fire by electricity, of course.

48940. You do not consider that electricity is necessary for you?—There is nothing simpler than what we do.

48941. It seems, therefore, that we ought to treat the Cleveland mines on a somewhat different footing to coal mines?—Entirely. We use every possible precaution that we can possibly use in the interests of safety in every way.

48942. (Mr. Snellie.) Have you any statistics as to the number of miss-shots where the squib blows out?—I do not think we have, but I do not think there is one in 1,000.

48943. With those squibs you do not think there is one in 1,000?—I do not think so.

48944. I suppose you are aware that if the prickler falls out your squib will blow out?—We do not put the squib in till the prickler is out.

48945. You know that your squib will blow out without exploding the shot?—We put a piece of clay on the squib to keep it in.

48946. If anything comes down on to the prickler hole you may require to put in your prickler again?—Yes.

48947. But I understand you have no figures as to that?—No.

48948. (Mr. Wm. Abraham.) What is your practice with regard to dealing with the men who commit breaches of the rules? Do you take them to court or do you fine them?—We invariably give them a good talking to, and sometimes we impose a fine and send the fine to the hospital. They pay the fine down; we get the receipt from the hospital, and hand it to them for the fine.

48949. As a means of deterring people from these breaches of the rules, which do you think is the most effective manner, taking the men to court or fining them?—I should say taking them to court.

48950. (Mr. Canyngham.) I suppose taking them to court is the greatest punishment?—Yes, but it is a great nuisance to us; it takes the overman away from his duty.

48951. In minor cases should you say that a fine is effective?—Yes.

48952. I suppose, to put an illustration, you may say that birching a boy is more effective than giving him 50 lines, but it does not follow that you must not ever give a boy 50 lines because birching is the more effective?—I have been in Cleveland for a long time, but I have never taken a man to court.

48953. (Mr. Wm. Abraham.) Still, that does not alter your opinion?—It does not.

48954. (Mr. Canyngham.) Would you prefer that the power of fining should be taken away?—No, I should prefer that the power of giving them a good hazing should be introduced.

48955. That, I think, is not practicable. I want your opinion about fining. Do you or do you not propose to abolish that?—No, I would not abolish it.

48956. But if prosecution is more effective as a deterrent, why would you not abolish fining?—Because I think it is a lot of trouble, and it is better in the end. Taking a boy before the magistrate and there being fined means that the money for that fine comes out of the pockets of his parents. We invariably give them the chance of whether they will be taken before the magistrate or whether they will be subjected to a fine.

48957. You say it comes out of the pockets of their parents in many cases?—Yes.

48958. (Mr. Esch Edwards.) Where would your fine come from?—Probably from the parents, too.

48959. So that it comes to the same thing?—But in one case it is much more than in the other.

48960. (Mr. Canyngham.) I suppose with regard to going to court, if you have to go in every instance it is an expensive process rather?—It is not so much the expense as it is taking the officials away from their duties.

48961. If they were forced to take them to court in every instance, it might be said that in some mines there were not so many prosecutions being instituted as were necessary for a due fulfilment of discipline?—I think that would be the effect.

48962. Do you from your experience think that the men feel the fines to be undesirable or degrading in any way? Do you think that they are against them?—No, I do not think they are against them. Let me explain: we hand all the fines over to the men's hospital.

48963. You give the men an option in every case of going before a magistrate?—Yes, pretty nearly in every case, not in all.

48964. When do you not give them an option of going before a magistrate?—If it is a serious case, if it has given us great annoyance and caused trouble, or if he has done some risky thing, we dismiss him altogether.

48965. I suppose you would not object to a system which enabled the man to insist on going before the magistrate if he desired it?—Not at all.

48966. You would have no objection to drawing up a list of the fines which you inflicted and sending that in to the inspector?—No, not at all.

Mr. WILLIAM CHARLTON, called and examined.

Mr. W.  
Charlton.

48967. (Mr. Canyngham.) You are a member of the Council of the Cleveland Mineowners' Association?—Yes.

48968. I believe you have been a member from the beginning?—Yes.

48969. Thirty-five years ago?—Yes.

48970. You have charge of the Spawood Ironstone Mine near Guisborough, belonging to Sir B. Samuelson & Co., Ltd.?—I have.

48971. Has your output for the past 10 years been about 4½ million tons?—Yes.

48972. How many deaths have there been in the 10 years?—There have been four.

48973. That makes 0·4 per annum?—Yes.

48974. What was the amount of clean stone that was got in proportion to each life lost?—1,062,190 tons.

48975. Does that compare, in your opinion, favourably with the loss of life in proportion to the number of men employed?—I think we come out very well indeed.

48976-7. What would be the figure relatively to coal; would you come out much better than coal, taking it, not per ton, but persons employed?—The deaths at Spawood have equalled one in every 1,414 persons employed, or 0·70 per thousand. The death rate in coal mines was given as 1·29 per 1,000 persons employed.

48978. To what do you attribute your rather greater safety?—The seam is not a high seam, and as a rule the roof is good.

48979. Your conditions are not so difficult, perhaps, as at Mr. Walker's mine?—Yes, they are as difficult as at his mine.

48980. But you have not such high seams?—Yes, we are as high as Stanghow. We are adjoining mines.

48981. You employ assistant deputies as well as proper deputies?—Yes.

48982. I think we have had pretty fully from Mr. Walker an account of the deputy question. I will, therefore, ask you, generally speaking, do you agree with what he said on that matter?—I do.

48983. Throughout the associated mines of Cleveland of which there are 16 in number, there are 400 deputies, I think?—Yes.

48984. And about 60 assistant deputies?—Yes.

48985. There are some five mines where assistant deputies are employed?—That is the associated mines; seven mines altogether, but five associated mines.

48986. And on the average, therefore, there are something like 12 assistant deputies at each of the five mines?—Yes.

48987. The majority of your assistant deputies, I think, have had experience as miners?—Yes, the large majority.

48988. To what do you attribute the most importance in the choice of a deputy?—The training of the assistants by the deputies proper. That is much more important than the man being at the face as a miner, because we have districts in our mine where a miner might work four or five years, and he would not have any experience whatever of deputy work. We do not object to a man having the mining experience, but of course it restricts the number we can call upon.

48989. Have you power machines at the Spawood mines?—No, we have no power machines; they are all hand machines.

48990. Is there anything in the last paragraph which you want to refer to?—No.

48991. Have you anything else that you would like to add to the evidence that you have heard and have given yourself?—Mr. Walker has gone through the points that I would have liked to have spoken about. For instance, with regard to the charge of our lax management. We cannot sit down under that without protesting most strenuously against it. I think that we managers in Cleveland do everything we possibly can to prevent accidents, and we feel it very strongly that that charge of laxity of management should be made against us.

48992. I take it that any accusation of that kind you would repel?—Yes, strongly.

48993. Have you anything else to add?—Only to emphasize what Mr. Walker has said about laxity of management.

48994. (Mr. Wm. Abraham.) What do you consider the most important branch of a deputy's work?—The examination before the men go in, and the other examinations during the shift.

48995. What about timbering?—Of course, he examines, and he decides whether the timber shall be put in or not. It rests with him entirely.

48996. Where is the most timber set up, in the face or on the road?—In the face.

48997. Would not that be the place for the assistant deputy to gain his experience?—Yes, he gets experience there.

48998. Where does he get it?—As a rule he has had it first of all with a back-bye deputy. Then he is under the deputy proper, and he is under the control and care of the deputy in all that he does.

48999. But it is in the face, after all, where he gets the greater part of his experience?—That is so.

49000. Is it necessary for that experience that he should be acquainted with the face?—It is not the same thing as getting stone. A miner may go on getting stone for years and never take any trouble at all to inspect his roof. We have known men who have been in a mine 20 years as miners, and we should no more think of putting them on as deputies than one who had been in for only two or three months.

49001. How do you account for that?—Because he does not take any interest in it. The roof is good, and he knows that if it is bad a deputy will come in and put it right.

49002. Is it because he trusts first the work of the deputy, or do you think he is careless of his own safety?

—No, he is not careless of his own safety, but he looks to the deputy.

49003. At the face, if he chooses, he has the opportunity to become practical?—Yes, he has the opportunity.

49004. So that it is at the face, after all, which is the proper place for every man to get his practicality?—It is a growing thing. He gets a certain amount of practical work if he is setting the back-bye timbers, putting up the baulks, and seeing that those baulks are put up where the roof has been good at one time, but has turned out not to be so good. He gets his experience there, and if we find that he is a likely man to become a deputy he is put into the face with the responsible deputy. Then under his care and control he learns very much more than he can anywhere else.

49005. Because he is under the tuition of a practical and a careful man?—Yes.

49006. But, still, he has to go back to the face to get that experience?—Yes.

49007. The back-bye is where he would have the practical work to do?—Yes.

49008. But if he has to be thoroughly experienced he must get that experience under the other man at the face?—Yes.

49009. Then, after all, the face is the place where we should look to have our men properly trained?—That is so.

49010. (Mr. Enoch Edwards.) I take it that you agree generally with the evidence of Mr. Walker?—Yes.

49011. I understand that you repel the complaint of laxity in the management of your mine?—Yes, of course I do. I should like to say—indignantly.

49012. As much as your friend has done?—Certainly.

49013. We may take it, I suppose, that these observations apply to the various subjects that Mr. Walker has referred to?—Yes.

49014. (Mr. Smilie.) Are there many of the mines in Cleveland where the workings are wet?—No, you would not call them wet working; very few of them.

49015. They are not very deep?—They go under the hills, and they get to a great depth in that way.

49016. What is the average temperature?—About sixty degrees.

49017. And if men are working fairly strenuously in that temperature they would sweat a good deal?—The miners do; but they are about the only men who do.

49018. Do they change their underclothing on the ground; is that a common thing?—No.

49019. Then, they go home in the clothing in which they have worked?—Yes.

49020. Do they generally live fairly near the mine?—A lot of our men are within five minutes of the mine, and some have about two miles to walk.

49021. Is the mine generally drift?—No, there are both sorts.

49022. About half and half?—Yes.

49023. You have heard it suggested that provision might be made for the miners washing and changing their clothing at the mines?—I do not think the men would accept it.

49024. One of the best firms in South Wales is now making provision for the men drying clothes and washing without asking the men to contribute. The question is whether, in your opinion, it would be a good thing if provision were made, and if they adopted it so far as their home-life is concerned?—None of the men have ever suggested it. You see they do not get black like the coal-miners do. They sometimes come out with black faces from the powder smoke, but otherwise they are not black like the coal miners.

49025. Nor wet?—No, I should not think there are two per cent. of the men wet.

49026. I suppose your mines are under the Coal Mines Regulation Act, because they are stratified?—That is so.

49027. Are you aware that if your mines are under the Metalliferous Mines Act there is provision made for that being done?—I was not aware of that.

49028. If it were found that generally it would be a good thing to do, I suppose the mine owners of Cleveland would not object to take their part?—I am sure they would not.

49029. (Mr. Cusagham.) How about sanitary accommodation down below, what do you do?—There is plenty of provision for that, but there is nothing special.

Mr. W.  
Charles.

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Mr. W.  
Charlton.  
4 June, 1908.

49030. Is it perfectly clean down below?—Yes.  
49031. There has been evidence given here that in some of the mines the roadways are in a dirty condition?—No, there is nothing of that.  
49032. Do they ease themselves in places where the rock is thrown over afterwards?—It is away from the passages of the men.  
49033. But it gets covered up?—Yes, it is covered up.  
49034. I believe you have not had any cases of ankylostomiasis?—No, nothing of the kind.  
49035. Have you any positive knowledge one way or the other about the general health of the Cleveland miners?—It is extremely good.  
49036. Is that the general impression?—It is. We have men who have been working there for 35 years.  
49037. I do not think that tends to show much on the question of general health?—As a rule the men are very

healthy indeed; we very seldom have men off work on account of illness.

49038. My own impression was that among miners in the United Kingdom generally consumption and bronchitis was more prevalent than among the average population?—I do not think I have known of a miner dying from consumption.

49039. At any rate, you are pretty free from it?—Yes, we are very free from it.

49040. (Mr. Wm. Abraham.) Are the miners affected by the powder smoke?—We keep the mines well ventilated, so that it does not affect them at all.

49041-2. Does asthma affect them at all?—No. I do not know of an asthmatic man in my employment. We use a great deal of powder in the mine of which I am manager. We used 141 tons of powder last year, so that you may be sure if we are using that quantity we are keeping our mines well ventilated.

## SIXTY-NINTH DAY.

Wednesday, 17th June, 1908.

### PRESENT :

LORD MONKSWELL (Chairman.)

SIR LINDSAY WOOD, Bart.  
ENOCH EDWARDS, Esq., M.P.  
THOMAS RATCLIFFE ELLIS, Esq.

ROBERT SMILLIE, Esq.  
S. W. HARRIS, Esq. (Secretary).

MR. CHARLES PILKINGTON, recalled and further examined.

Mr. Charles  
Pilkington.  
17 June, 1908.

49043. (Mr. Rudiffe Ellis.) Are you managing director of Clifton and Kersley Coal Company, Limited?—Yes.

49044. You are a mining engineer, and I believe you have had 37 years' experience of collieries?—Yes.

49045. Has that experience been experience of the different duties performed by the different officials above and under ground?—Yes; a good deal of that has been underground work.

49046. Actually yourself?—Yes, actually five days a week, some of it.

49047. You are late president of the Lancashire and Cheshire Coal Association and the Manchester Geological and Mining Society?—Yes.

49048. Have you been appointed by the Lancashire coalowners as one of the witnesses to give evidence before this Commission?—Yes.

49049. What is your view as to the sufficiency of inspection by the Government inspectors in Lancashire?—I think it is very well carried out. I think that it is sufficient, on the whole, but as to whether they want additional under-inspectors in out-of-the-way districts I am not certain. I have no knowledge of them. In the district I know the inspection is sufficient.

49050. Do you think that the inspectors might be relieved to some extent of their clerical duties?—Yes, I should think so.

49051. That would give them more time for inspection purposes?—That would be a good thing, I think, but I would leave them in charge of the clerical staff.

49052. They would be answerable for the statistics, but would have more assistance in the preparation of them? They would be responsible for them.

49053. What is your view as to the object of Government inspection? It is not to manage the colliery?—No.

49054. Do you think it would be undesirable that there should be any duties put upon them which might imply

responsibility for the management of the colliery on the part of the inspectors?—I think it would take responsibilities off us who ought to be responsible. I think it would be a bad thing.

49055. Your view at present in Lancashire is that the inspection is sufficient to see that the Coal Mines Act is carried out?—Yes.

49056. As to the qualification for an inspector, do you think actual working at the face getting coal is a necessary part of the qualification?—No; that is unnecessary so long as they have a good practical knowledge of underground work.

49057. You think they have a practical knowledge at the present time?—In fact, I know they have. You asked me about the need for actual working at the face. I think that would be prejudicial. I think it would be a bad thing. I do not say for an assistant inspector who may have risen to his post, but for a head inspector to have spent five years of his life working at the face would be a mistake. If you are constantly at the face like that you get rather hardened to certain kinds of danger. You do not think much about them, whereas an inspector ought to be very keen to notice all kinds of danger which may happen to come before him. I do not wish it to be thought that I think that people should not go down mines to learn the work of an inspector; quite the reverse. What I might call such dangers as you instinctively guard yourself against—those are best known and best guarded against by men who are often down. For instance, a person who has been down a mine regularly never sits down without seeing the roof is right, and there are lots of other cases that occur to everybody where people who are always down mines get into the habit of looking at the thing in a casual way. They look at a place and see if the sprag is set after the coal has been undermined, or a prop is set, but unless they are accustomed to travelling about and keeping their eyes open they take it for granted that it is all right. The collier naturally sees the prop set and says "That is all right," but a sprag may be set