VICTORIA, TO WIT.

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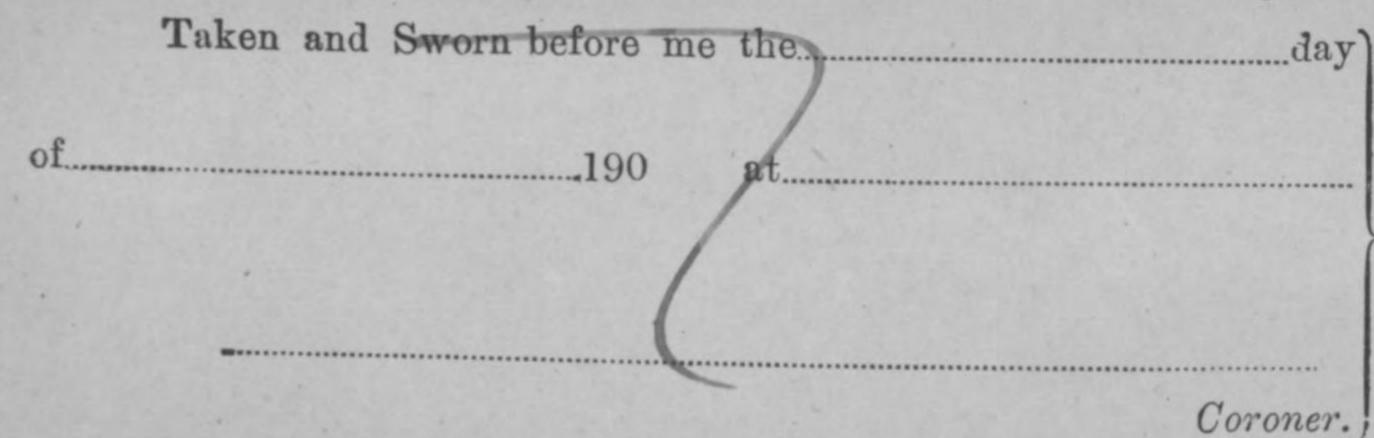
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and there is a vent there is no pressure. It would not do so if there was pressure behind but if it was a natural pool it would fill up from the debris and sediment getting in. Ao long as the water ran away steadily there would be no danger but if I had water coming with bursts occasionally and on one occasion so that they ran a great increase in the pumps, I would make things secure and withdraw the men unless I really knew the volume of water in the pool. I could not tell whether it would be safe or not. If it was coming away on accasional bursts on different days. I might come to the conclusion that it was dangerous or I might not. If that pool was overhead it was his duty to treat it as though it was. He could not form an opinion as to the volume of water that it would hold until he got there. Not knowing the volume and knowing there was a pool I would not have taken steps to control the water. It suggests to my mind that there is a pool overhead if it is coming away. If I did not know the area of the storage and it came away in bursts - a big burst might be dangerous. If the vent had filled up you would naturally infer that it would break through again in the weakest place. It would come through somewhere else. Your could not get control of the water where there were rock headings. I do not think you could control the pool in a rock of that description. If there is a pool overhead I have to leave it to Providence as

to where it breaks through. I have put up a rise to bring away



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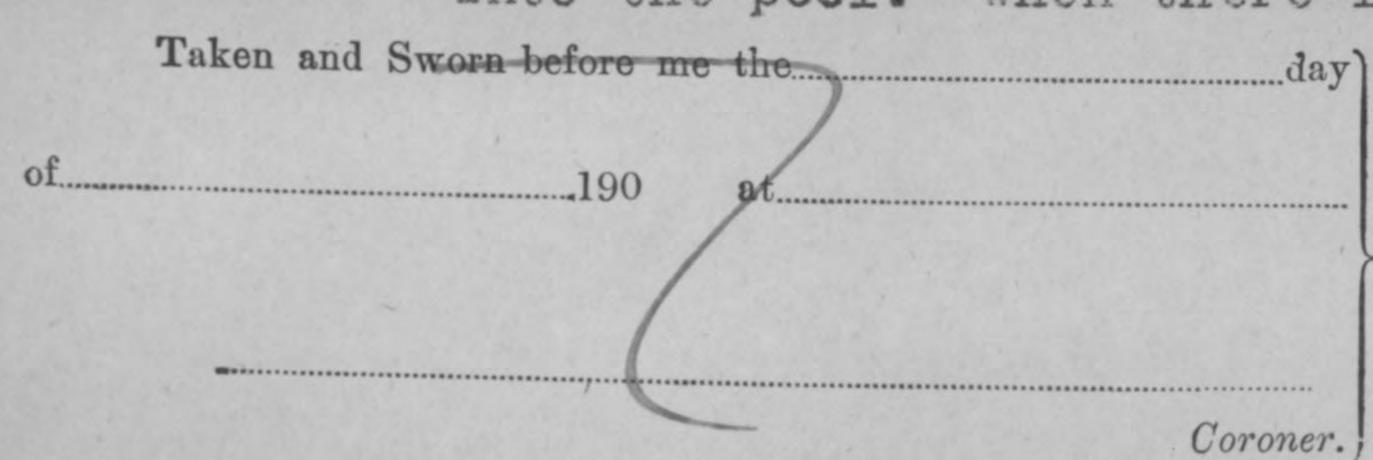
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water. There is a difference between putting up a rise and keeping the water back. I understand by keeping control of the water you meant keeping the water up there. If there was a pool overhead and I did not know storage capacity of the pool and I did not know how much was in it I would try and get control of it. if I saw the ways and means. The difficulty is to find put how to control it. If I could not control it I do not think it would be the best thing to take the men out. If I thought there was damger I would withdraw the men but if I thought there was not I would not. You have to be guided by circumstances and use your judgment as to whether it is best to keep the men or leave them there. If there is likely to be danger. we draw the men out. If I thought the pool was overhead and did not know the water capacity it depends what I would do. If there was water overhead you could not put up a water rise. I know what "think a pool accumulated beneath the rock " means. It means the rock close down to the earth.

Q. - How could a pool accumulate beneath the rock if it was close down to the earth there could not be a pool accumulated there?

A. - If the pool accumulated there must have been a vacant space where the rock had fallen. If there was a standing pool like that I would put a bore up. That would fetch it away if it went into the pool. When there is rock overhead I should put a bore



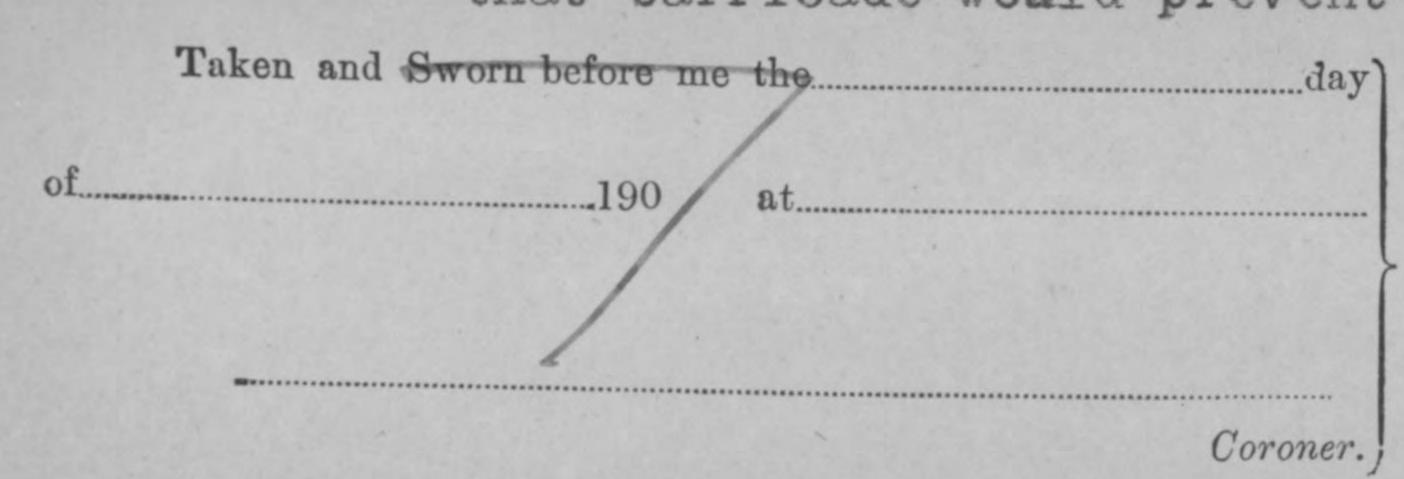
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VICTORIA, TO WIT.

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- up. That would not finish it. If I was not satisfied with the bore I would put up a water rise.
- Q. "Strongly of opinion that the ground has given way which would account for the ground being so heavy". What would you do in that case ?
- A. I would probably go on working. A man is guided by circumstances. I can hardly answer the question here I could form a proper opinion if I saw the spot The danger will always indicare itself. The timber will indicate the weight of the ground before anything in the way of breaking the laths
- Q. "Ground heavy compelled to abandon 2 blocks found it impossible to keep them open" Would not that indicate danger if the rock was broken overhead when you have water making everything soft?
- A. I would take the men out until I found it if I thought there was that danger attached to it.
- Q. On the next day Manager says "mine now in full swing". Do you approve of that.?
- A. It only bears out that there was actually no danger if he kept the men there.
- Q. "nine strokes for three days, could not get into the inner workings as barricaded". Would that convey to your mind that that barricade would prevent water coming away?



VICTORIA, TO WIT.	This Deponent*	***************************************
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A. - Oh, no, barricades are not put in for the purpose of

keeping back water. There are water barricades and barricades put up to strengthen the ground. Taking it as a barricade to keep up sand, it would not keep the water back. You cannot keep water back. I do not think there is anything to surprise me in the report "water still troublesome" and that next day they repair the shoot and the next day it comes down. It does not surprise me that it came down after reading those reports. Q. - Having read those reports and taking them as true up to 17th. March would you have left the men in there? A. - I would because I consider that he thought every thing was safe. I do not know whether I would form the same opinion as he did about the safety. I would have formed the same opinion as he did because under the conditions I thought he was doing right. A man under the circumstances has to be guided according to the conditions of the place and the surroundings. I cannot agree with Mr. Barrett that the more ignorant a Mining Manager is the better he is for that.

Cross-examined -

Me, I would not dream of putting up a water rise. If I said the first burst was the worst I mean that the water came away afterwards. If I put a pipe into the Gong Gong it would drain it out unless it was controlled. If Mr. Harris took any steps to control

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it. it would drain itself away. I have considered that there was an intrusion of the pug between the two leads. That is the weak spot in the workings. There was apparently clay concealed in those workings. I honestly believe that that is where all the trouble has come from and that no human person has would go against it. I did not consider the bursts recorded by Mr. Harris of any significance at all in an alluvial mine because in opening up a new country like that, we know that the water increases two or three strokes a minute. It would not lead me to believe that the Eastern workings would drain the Western workings if the ground was being worked at a lower level on the East. When we were pumping it would draw the water out from the West. We have had very great trouble in the mine I am working with the water. We have pumped something like two or three million gallons in 24 hours that is 9000 tons of water in 24 hours. About 22 million gallons. I agree with Mr. Fitches when opinion that the gutter is somewhat narrow, I would not think of boring.

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Re-examined -

I know where the burst occurred on the plan and all the ground is worked to the East. I am told it is on the lower level than the ground on the West. In the natural order the pumps would drain the West. The East being on the lower level would drain the West. If I found an increase of water up at the West it

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would not convey to me that it was something very heavy coming in. no further than that they had touched on where they were blocking. If the water comes down in bursts, it depends on the size of the burst or the fall what it would do. The pumps would not convey the size of the burst.

To the Jury - Q. - Was the intrusion between the two runs getting thinner?

A. - It was getting thinner. There has either been a break in the clay or probably the chay may be tailing out at this particular point. The laths may junction at this particular place. I think it is necessary to put in a drive from No. 2 shoot to where O'Brien saw the big washed boulders and to ascertain where the burst came through. It is perfectly natural to do that. I may state that if the rise is put up according to my experience there is great danger in approaching where the water is supposed to have come away. If there is not great care taken according to my idea there will be another disaster.

Adjourned to 7th. July.

of June 1902 at Ballaras (sep) Worthsher

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CORONER'S

INQUEST. VICTORIA, TO WIT. on has oath saith, I am a home residing at fattable Sheet Balla en en * Christian and Surname in Ihave the oday we te changing bense at the Cardy an company's drive seen the body of John Cay kunts-Llast Dans hun aluxe av menning 978 k March 1902 when te was leaving work about 80'clock. Lwas en of party who recensed te body of deceased. It bas m no 2 shows. He body was partially whight leaning un a latte acros the Swarch - One of the legs of dereased is broken. he body was frist deen about Keven last night and branget to the surface about prettes merring. The head of deceased washelow the luth - the feet upwards.

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CORONER'S

VICTORIA, TO WIT.

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on night of 18th march about 12.30 run in 19th vasping down. Løfoke to hom to surface as he vas stepping unto to cage. I told him he should stop up and fetch in Idme freword to be sent down - that to stup was Coming down and Amanted a herse built before has coned for an with his worth, Kesquel "There's plent, hand sup, din formes Ovnn! Kntwas to last Leave Thimmeline. Changed and went home, Amos about 10.30 Cash hight when me frust sam the body will. I show to about 18 feet up the manhole.

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VICTORIA, TO WIT.

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This Deponent* William John Wright
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I was Visiting Director of the Cardigan Proprietary for nearly 18 months. During that time I visited the Mine but not regularly. Sometimes once a fortnight sometimese twice a fortnight and once a week and latterly less. visited it about six weeks before the Disaster. I have read the Mining Manager's Reports at the Meetings. I never doubted the truth of them. I have heard it stated at this inquest that doubts have been thrown on the reports. surprised to hear that there were doubts as to the truth of the reports. I have had interviews with the Manager since. He has never said anything to lead me to doubt the truth of the reports. I still believe them. Referring to 1 etter of the 1st. November 1901 to Mr. Ayton - he was Chairman of the Directors and took up the position of Mr. Ryall he was acting as temporary Legal Manager - I think the letter refers to an arrangement that I was to buy some shares from Mr. Ayton and he asked me to set in reference to it. It was a private letter. (Mr. Clarke asks if it was fair to examine on private letters.)

Coroner - There are private and public letters mixed up.

Witness - The letter means an indescretion of Mr. Ryall. It
had nothing to do with the management of the mine. Two letters

November 1, 10, put in Exhibit "U".

Mr. Barrett read from letter 10th. November.

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It is a fact that the Company was in desperately hard financial position and remained so till the time of the disaster. It was necessary to cut down expenses to the lowest possible factor. We had to get some gold out or shut down the Mine.

Q. - That is the beginning and middle and end of the Disaster?

A. - I take that to mean because we had not necessary funds to do the work. I had a conversation with Mr. Harris as to cutting down expenses to the lowest possible limit.

We discussed the extension of the intermediate drive to the shaft several times. We did not do it for want of f-unds.

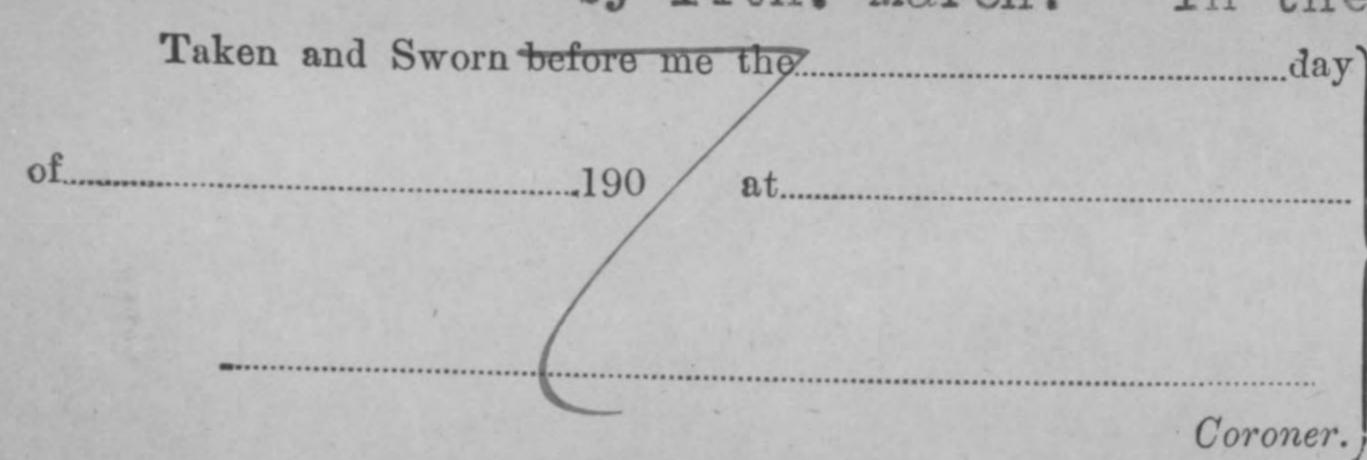
That is the main fault. Our object would have been to save the trucking in the bottom level. We would have done away with the balance shaft. I discussed it with Mr. Harris. He thought it ought to be done. He said as soon as we have funds I will advise it to be done.

Mr. Barrett read report of 10th. February.

The average referred to is payable under ordinary conditions.

As to "considerable amount of ground to take out" I cannot say when that was taken out. There was some to come out
Not a great deal. It was pretty well all taken out by the 14th. March. The words " It would last 3 to 4 months are a miscalculation of the Manager's if he says it was taken out

by 14th. March. In the extreme end it was wider than



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coming towards No. 1 shoot. It would not make such a difference as to taking it out. A few blocks were left in. I cannot say what the average return would be. I think about 12 or 15 dwts. we have had. It was all payable under ordinary conditions. It did not pay because there was not sufficient work done to make it pay. It was not the men's work to shovel and muck it. They did not make it pay. The ground was not gone over. They did not do enough work. Occasionally we had water troubles just the same as in any other alluvial mines. I have had a good deal of experience in alluvial. There were blocks that were left and there is no doubt the gutter was a deal narrower going toward No. 2 shoot. When the water burst the men would have to come out of the face. I do not call it-some working-and some mucking-Part oft the reason of the men not working was on account of the water. I have followed the press reports since the disaster. I did not notice that in any of these reports there was the not the slightest reference to any bursts of water. There was nobody able to form the idea. It was just the ordinary water weeping from the rock and as but little came down it would burst away and it would accumulate and burst away again.

- Can you suggest anything that is more dangerous than accumulations of water coming away in bursts. ?

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A. - It depends on the size of the burst and its extent.

You cannot measure the size and see when they are coming.

It has struck me that we might kill 3 or 4 men through not knowing it was coming.

- Q. Can you suggest anything more dangerous in an alluvial mine than an accumulation of water coming away in bursts?
- A. There are chances of bursts from the rock along with accumulations striking the fissures of the rock. You cannot locate these fissures until they come themselves. I do seriously tell you that. It is the luck of Mining Managers not to lose a man from bursts of water.
- Q. Do you say that it is simply a question of luck in an alluvial mine whether you drown your workmen?
- A. Some Managers are more lucky than others and they have had rushes greater than this has been and they have not lost a man. I think it is necessary for a Manager to take precautions.

To the Cornner - I mean chance by luck.

To Mr. Barrett - I have never managed an alluvial mine.

I have worked in them. The difference between press reports and Director's reports is that the press is condensed. We do not condense the report by leaving out anything that is of value to the shareholders. I have never condensed them in that way. If I thought there was anything to send the shares

VICTORIA, TO WIT.

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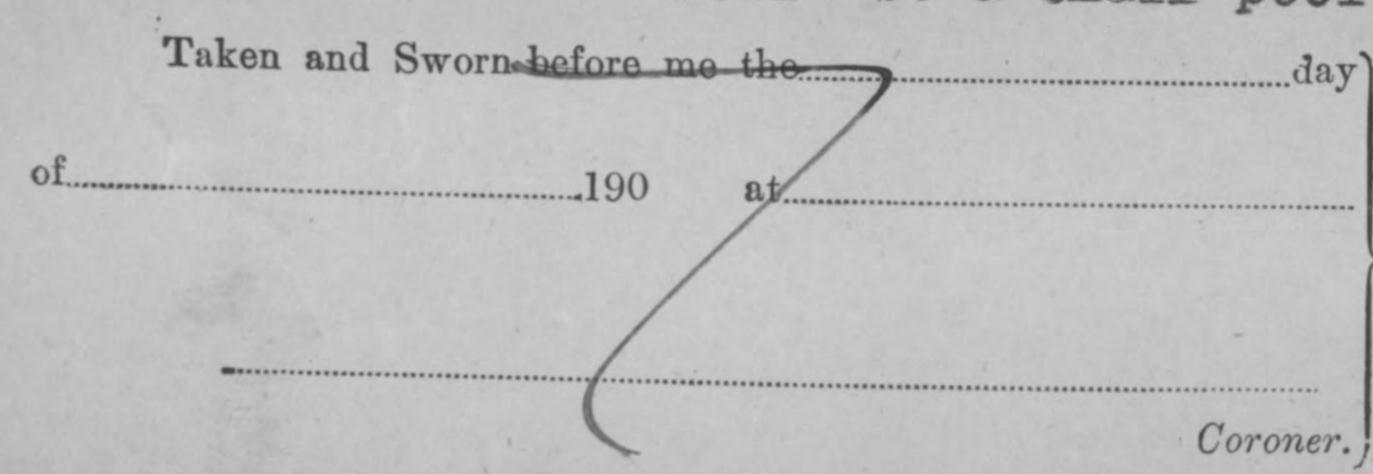
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down I do not think it was proper to keep it from a press report. I never gave any such instructions. If Mr. Ryall instructed the Manager to suppress any information from his reports I was not any party to it. It was on his own responsibility.

Mr. Barrett read from report 20th. December " Fair streams of water coming out"

I would understand by that an increase of a stroke and a half on the pumps. I would not call a trickle a fair stream. I know the water was not much. I did not understand it was a trickle. As to "If the men cannot work in it we will have to shut the mine down" that is a fact if he reported it. I believe we would have had to shut down the mine. As a matter of fact I did not understand there was a great deal of water there. Mr. Barrett read from reports February 10, 21, 22, 24 "Strong stream with large quantities of sand pool accumulated overhead, pumps 8 strokes per minute". That is more than what I would call a small stream. A pool could not accumulate unless there was a space for it to accumulate in. The ground all came down on the Eastern end of the present workings. There was no water in that. There was the rock but there was no water there. "Large quantities of sand" came from the blocking that was taken out by them.

It would be a small pool but would get larger. Every quantity



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VICTORIA, TO WIT.

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of sand would leave more room for the accumulation.

Manager has exaggerated on that. Perhaps he has made more stress on it than was necessary. I did not see it myself.

I have never heard of any sand being cleaned up. I think it is an exaggeration simply because the sand was not c-leaned up. If large quantities of sand had come down it would have shown it in the drives. The only reason I can assign for the report is the small quantity of gold that was got. We believe every word of his report and you are splitting straws. He may have laid more stress upon thesee little bursts of water than he should have done. I do not brand him as a liar because he was not getting enough gold.

Q. - On March 1st. "Considerable amount of sand causing a

A. - I do not call it much water trouble. It depends entirely what is the cause. As to the report of March 3rd.

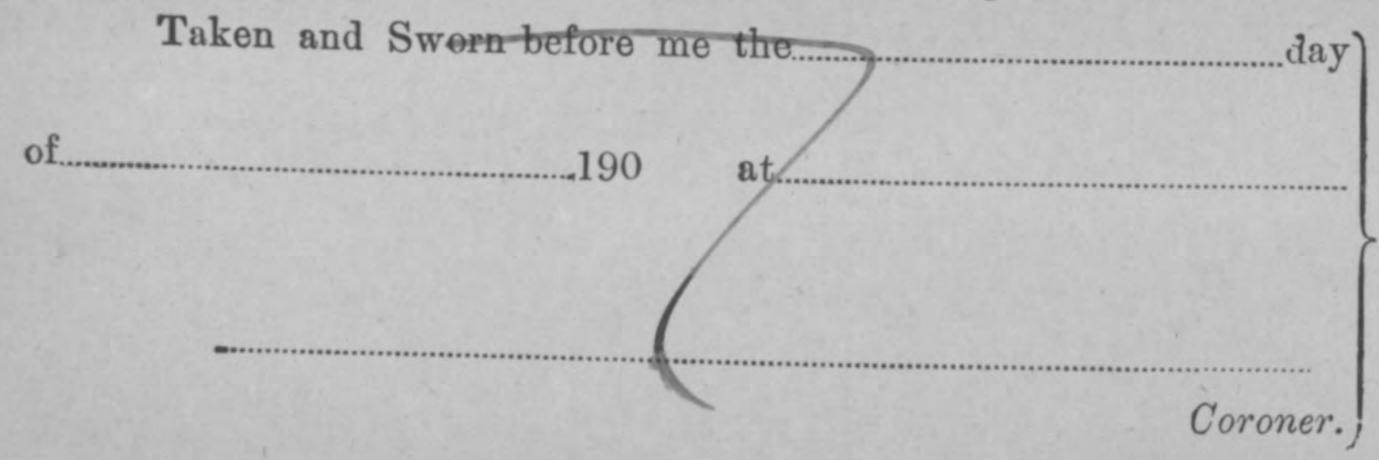
"Water broke away". I do not consider that any trouble. It was the thing to expect an accumulation of water overhead.

Mr. Barrett read from reports "Another burst water still troublesome coming away in small bursts compelled to abandon two blocks"?

A. - I do not think these reports are exaggerations. It is a very fair report. There is nothing out of the common.

Q. - Don't you think they were water troubles that could Taken and Swern before me the day)

lot of trouble "what about that ?



VICTORIA, TO WIT.

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have thrown some light on the disaster. ?

- A. I do not think there is sufficient ground open to cause the disaster that did occur.
- Q. Can you give me any idea of the area of overhead ground that might have held water prior to the Disaster?
- A. I cannot, I could get at it if I was to make it out.

 I was present at all the Director's meetings.
- Q. Minutes December 17th. one ounce 7 dwts. per fathom that is the yield for that fortnight.

A. - I should call that highly payable. Tributors had it

on tribute at this time. They were working it under the Manager's directions. In the minutes of December 31st.

"Decession to insist on the tributors extending the North West drive" means insisting upon the tributors. Mr. Harris consulted me but told nothing about the bursts of water.

He never discussed the possibility of there being accumulation of water overhead. As the other blocking came down the water would fall away and drain it. We could see the rock about 8 or 10 feet round. Taking 3 feet or 4 feet as the average of the wash there would be about 2 feet of space between the rock and 40 feet wide and about, 100 feet long. I have no idea how manyese tons of water that would hold. I would not call that a great deal of water I have no idea of what the

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Cross examined -

I do not agree with Mr. Fitches, - If the whole of these workings in the mine had been filled with water that the whole of the water would have been pumped out in 24 hours. It would take longer than that. Not a great deal longer. The ground used to swell up very much. We have had to cut down the drives repeatedly. I have never seen it closed up. It has come up 18 inches to 2 feet in a very short time. I never heard anybody speak of the All England as I believe it is as solid as the first day it was worked. It is a characteristic of the alluvial workings that as the blocked ground comes down, some water comes down and if proper precautions are taken in the way of horses there is no necessity to consider any danger from that. The ground must drain. In my opinion there is nothing in that theory as to the water accumulating at all. I know Fisher. (Mr. Clarke read from Fisher's evidence) I agree with Fisher's opinion. I know that the men were working on tribute and subsequently on contract, when the work had been done much quicker. That is characteristic of quicker work. When we broke in on the Eastern side the blocks were quite dry. My Directors never left anything undone that we thought were necessary to safeguard the lives of the men in the Mine. The question of

expense did not stand in the way at all. We did not consider Taken and Sworn before me the Coroner.;

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would naturally expect that the water was draining all the time and we never looked for water. I have heard the evidence of O'Gorman and O'Brien.

Q. - Did you form any opinion from what they have said. .?
Mr. Barrett objects.

new coming in from the South side. They have struck some water course there containing wash outside the pug. We never had any of these indications in the Mine present before. As to the reports we necessarily got some inconvenience with the water. If we it caused any inconvenience we would say it is troublesome but I would not say it is dangerous. I agree with Mr. Fisher that he would never place any significance upon it. The Directors have confidence in Mr. Harris and have considered he was capable to work the mine and consider him still.

Re-examined -

Having regard to the fact that we had bursts of water that we never had before we did not know we were in new country. It was only seen one and a half hours before the accident according to O'Gorman's evidence. You hever could tell when you broke into new things.

Mr. Barrett - Mr. Harris reported that he had got into new

Taken and Sworn before me the	day)
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country there. (Mr. Clarke objects - Mr. Harris did not say so. It was 50 or 60 feet away).

Mr. Barrett read February 10th. "Whole character of the ground at this end of the ground is changed, kind of ground never seen before in this gutter, some disturbance has taken place".

A. - That is not what I am referring to as new ground. I am referring to what the witness O'Gorman and O'Brien said in the box as to the boulders. I should say the boulders were there. They did not come out of the water course at all. There was nothing out of the way before the boulders were seen. There was nothing troublesome. We never suffered from it. I was told the pumps were out of order since the accident. I think it was the second day after the accident. I was on the mine from the time of the accident till Saturday night. I do not know anything about the pumps being out of order before. The Engine Briver Hill told me that the pumps were not in order since the disaster. Before the inburst I knew nothing about the pumps. If the pumps were working all right I did not inquire into the matter. I expected to know how the machinery is from the Manager. I cannot tell you why the Manager did not tell me. There may be a reason why the pumps were not in order and 40 or 50 per cent out of order. (Mr. Clarke objects).

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Q. - If Hall says it was to their admantage to keep the pumps as they were, the only explanation I can give is if the pumps were not in good order they would not be stopped so often. Under circumstances like that I agree with it. Where the water was so slight that they would have to stop the engines. It would be better to have them in order when the increase of water came.

To the Coroner - I do not agree with Mr. Fitches when he says that he did not think the Manager acted prudently. I think the Manager did everything that was proper.

Taken and Sworn before me the seventh day

of July 1902 at Ballarat

signed W. J. Wright

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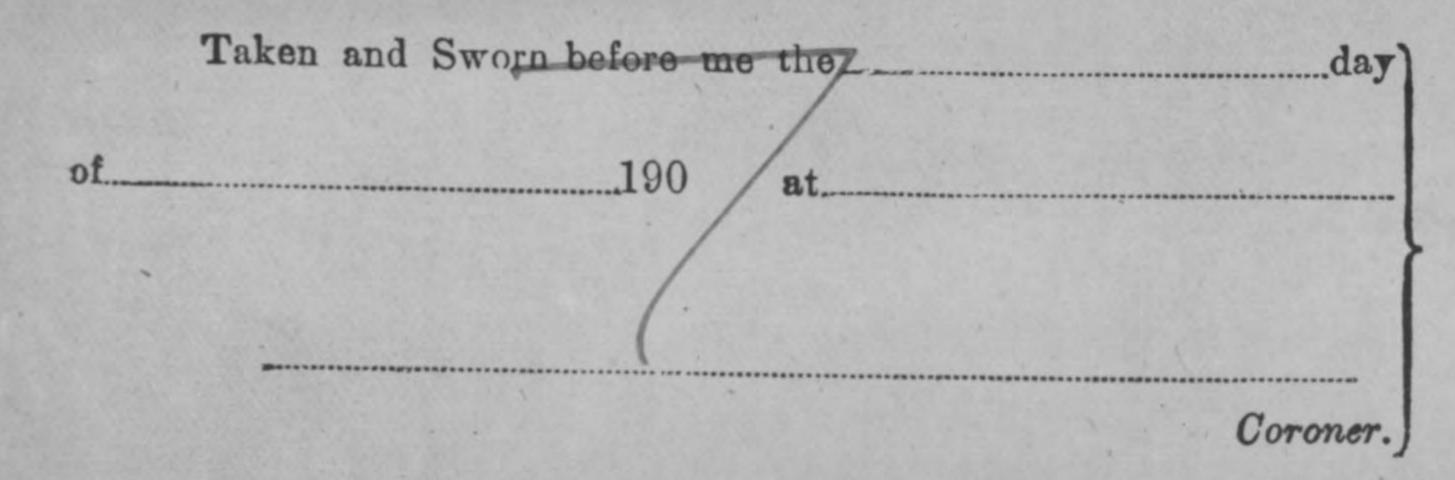
To Mr Clark- I ceased working five or ten minutes past twelve. We had no watches.

Mr Clark asked to have evidence repeated over again shortly
Mr Barrett objected

Witness - Steve Hoare had his crib sitting alongside where the men came away After ten o'clock we broke into the last ground There was a lot of sand and drift coming away. We found it was a different kind of wash from what we were working There was a small stream of water coming out of it. We found we had broke into something fresh to what we had seen before

Cross examined by Mr Barrett -

- Q. What was it you wanted to be recalled for?
- It was just to explain the difference in the ground We broke in after 11 o'clock. It was much my own wish to be recalled. I expect Mr Harris and Mr Clarke asked me if I knew anything about it Mr Agnew had often been talking about it I told him that the main South West drive would come down so low that the tops of the trucks were striking the cap piece I told him that. The height of the trucks were 3 feet and the original height of the drive 6 feet In my opinion that did not show that the whole mass was substiding It indicated that there was a weight in the ground causing a collapse It showed that the whole mass was subsiding to a certain extent told him that I picked up, all the toold and put them into a truck and and ran them out to the flat sheet We always did that when the ground was coming down I also, pulled up the rails When I picked up the tools and I anticipated that the strip was coming down. Before the inburst boulders as large as a kerosene tin were coming



VICTORIA, TO WIT.

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When the ground used to come down they used to come with away. the old ground There was nothing new about that There was a difference in the color of the wash that is they were not covered by the color of the bed was rock. I do not know what it would be caused by.

Re-examined -

In my opinion the gr und was hot collapsing from the water. The weight of the blocking was causing the collapse. It was not a very natural result in my opinion. It was not anything to cause me to expect any danger. It was always a natural thing to take the tools away if the ground came down so that you can find your tools

To Coroner - I told Mr Agnew the South West drive was coming down It was all crushing by the time naturally it came down.

To Mr Barrett - We did not take our tools out every time. Not when we were starting a fresh strip It is only when we expected the ground to come down.

To the Jury - I told the shift that relieved me that it was not safe to work in I would not have worked in it any longer than I had. I was speaking to Hunter when conversation as to warning the men took place. Jack Magrath was present He was ahead of-meJack-Jimmy Hunter Jack said "What sort of place is in there"? I said "The strip is coming down" I did not tell him any more on account of him not working in there Nobody was present when I said it to Hunter Jack O'Brien was behind me Hall went up to tell Mansfield.

Taken and Sworn before me the seventh

signed S. O'Gorman

VICTORIA, TO WIT.

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This Deponent* John O'Brien	
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John O'Brien recalled -

About the amount of sand that was running into the strip we (Mr. Clarke asked for explanation - Mr. you were working Barrett objects).

I suppose it would be 6 or 7 strokes of sand that was running out. That would be a bit after 12 o'clock. There is a mistake in the time. I have been working in the claim since, but not in that portion. The only thing they should have done would be to get the firewood and build the stack. That is what I would have done. That is the only precaution I would have taken.

Re-examined -

All the remarks I made to them were in reference to the strip coming down, nothing to do with the possibility of being swept away with water. My usual time for leaving is about 10 minutes to 12. I stopped till twelve o'clock because & asked the time from the truckers and they told me it was very near 11 o'clock and I suppose it was half past. We stopped nearly merely through a mistake. They never used to throw the boulders out of the wash unless they were bigger than the truck. The boulders I thought were there in the course of nature. It is not possible that they were put in there. We had another run to go through. They were there in the

ordinary run of affairs. There was a little in which we had Taken and Sworn before me the seventh day

Coroner.;

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VICTORIA, TO WIT.

* Christian and Surname in full.

This Deponent*	
on h oath saith, I am a	
residing at	

not seen any white boulders there before in wash that size.

There were no precautions taken to ascertain if there was
any danger. If the stripping had not been worked it would
have been cleaned up and gone through until it was finished.

Re-examined -

I considered that no precaution was necessary in view of what I saw there. Everything was done that was reasonable necessary. I did not consider that there was any possibility of us being swept away by water. I thought the men would have laughed at us (Mr. Barrett objects to this)

To the Jury - There was no water coming overhead at the time. All out of the side block.

Taken and Sworn before me the seventh day of July 190 2 at Ballarat

signed J. O'Brien

VICTORIA, TO WIT.

* Christian and Surname in full.

This Deponent* Wi	lliam Richards
on his oath saith, I am	a
residing at	

William Richards recalled.

I was working on the four o'clock shift from 4 o'clockt to I2

I noticed boulders in the face where the water came away. I

told Mr Agnew that the boulders looked as id they were stowed

there. I said it maght be a breaking on of the back of the

horse. There was wash dirt amongst them too. They looked

as if water had been playing on them for a while. They were

whitish. There was nothing unusual in the big stones being

there, only the sand and wash dirt amongst it.

Re-examined.

They were the ordinary wash dirt boulders that would be found in an alluvial gutter. I cannot say that they had been stacked in the mine previously. It might have been. It was 5 feet before we broke through. It was no different from what we had seen previously, only the difference in the colour of the wash, white. I have heard evidence of O'Gorman that the wash was tighter, this new wash was looser, what we had worked previously was tight. There was a distinct change.

Re-examined.

We mostly broke the boulders up, if we did not break them up we stowed them, they are stowed at the side of the main drive.

To the Coroner.

I might have said to Mr Agnew that it might have been a break

of the back of the horse. There was a horse ahead of us. I

Taken and Sworn before me the day

of the back of the hors
day

of the back of the hors

day

Coroner.

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VICTORIA, TO WIT.

* Christian and Surname in full.

This Deponent*	
on h oath saith, I am a	***************************************
residing at	

reckoned we were about 5 feet from it. I do not whether we we were breaking iinto it. We had 4 set to go.

To Mr Barrett -

The boulders came from the solid side of the blocking strip
from the South West end.

Taken and Sworn before me the seventh

July 1902 at Ballarat

Signed William Richards

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Coroner.

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