

A14



TRANSCRIPTION OF THE SHORTHAND
NOTES TAKEN AT THE INQUEST
PROCEEDINGS ON THE VICTIMS OF
THE UNDERGROUND FIRE IN THE
OLD WHITFIELD DISTRICT, HESKETH
PIT, ON THE 8TH/9TH DECEMBER,
1948:

B. Dilvey
Sub Area Agent

NATIONAL COAL BOARD,
CHATTERLEY-WHITFIELD COAL UNIT
TUNSTALL, STOKE -ON -TRENT

CHATTERLEY WHITFIELD
MINING MUSEUM TRUST

CW/M/A/11

IN THE MATTER OF THE RESUMED INQUEST ON ERNEST PERCY SHEARER

IN THE MATTER OF THE INQUESTS ON SAMUEL RICHARD HUGHES AND

HENRY COOKE

Town Hall,
Hanley, Stoke-on-Trent.
Wednesday, January 26, 1949.

Before

H. M. CORONER FOR STOKE-ON-TRENT (G. W. HUNTBACH, ESQ.).

Transcript of Shorthand Notes of Proceedings.

Appearances:

For the National Coal Board:

Mr G. F. I. Sunderland (Instructed by Messrs Knight & Sons, solicitors, Newcastle-under-Lyme, Staffs).

For The National Union of Mine Workers, North Staffordshire Branch, and relatives of the deceased:

Mr Max Holdsworth (Instructed by Messrs Hollinshead & Moody, solicitors, Tunstall, Stoke-on-Trent).

For the Staffordshire Overmen, Deputies' and Shotfirers' Association:

Mr J. W. Sumnall.

H. M. Inspectors:

Mr H. S. S. Scott, Divisional Inspector; Mr G. Jenkins, District Inspector; Mr W. Brown, District Inspector; and Mr W. G. Irwin, Inspector.

From the Shorthand Notes of :

H. D. Austerberry & Son,
Professional Shorthand Writers,
Stokeville, Stoke-on-Trent.

CHATTERLEY WHITFIELD
MINING MUSEUM TRUST

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THE CORONER: Now Members of the Jury and the representatives present, this is an inquest comprising three technical inquests.

The first one is touching the death of Ernest Percy Shearer, and that inquest was opened by me, for the purpose of taking evidence of identity only, and therefore being enabled to Issue a Burial Order, at the North Stafford Royal Infirmary on the 13th day of December last

At that inquest Mr Arthur Lythgoe, of Hill Top, Brown Edge, duly sworn, said : " I identify the deceased as my brother-in-law 62 years old, a colliery haulage maintenance hand, and " -- I do not think this arises now; it is not of much importance -- " as his widow is not in a fit condition to attend the inquest, I confirm her statement to the police marked 'A' now read out to me".

That was purely formal, but Mrs Shearer is here herself and she will give formal evidence that on the morning of the 8th of December her husband left her home to go to work to the Chatterley Whitfield Colliery, Hesketh Pit, and he was then in his usual health.

The second and third subjects of this inquest, which is a word which can be used either in the singular or the plural, touch the presumed deaths of Samuel Richard Hughes and Henry Cooke; and, in accordance with Section 18 of the Coroner's Amendment Act, 1926, I notified the Home Secretary of the facts, and, incidentally, gave him an account of the main particulars; and, subsequently, I received, as requested, a direction from the Secretary of State authorising me to deal with these inquests, so you will hear the representative evidence, which actually covers the three inquests; and you will be able, and authorised, to return a verdict in due course.

My suggestion is that after I have gone through each proof with each witness that Mr Jenkins, His Majesty's Local Inspector of Mines, will put his questions, and then counsel. I do not know whether they can arrange the order they would like to go in. Shall we go round the table?

MR. HOLDSWORTH: I am entirely in your hands about this Sir; whichever you think is the most convenient.

MR. SUNDERLAND: Yes sir.

THE CORONER: After counsel will come the accredited trade union representatives, if they do not happen to be represented by counsel themselves.

I will call Mrs Shearer.

MR. A. LYTHGOE: Mrs Shearer is not well enough to come. Her daughter is here.

THE CORONER: Very well. Miss Shearer then.

MRS. MARGARET DRAGON, Duly Sworn.

Examined by the Coroner.

1. Q. Will you give me your full Christian names? A. Margaret Dragon. I am married.
2. Q. And address? A. Hill Top, Brown Edge, Stoke-on-Trent.
3. Q. Do you live in your Father's house? You lived with your Father? A. Yes sir.
4. Q. Do you remember him leaving home on the morning of the 8th of December last? A. Yes sir.
5. Q. And when he left to go to work on the morning shift - ?
A. The evening shift.
6. Q. I beg your pardon, on the evening shift, was he in his usual state of good health? A. Yes sir.
7. Q. Well now, wait a minute. I think he would leave home on the 7th, would not he, if I remember rightly? I have not looked at these proofs recently, not the last few days; but the accident happened on the following morning?

MR SUNDERLAND: On the early morning of the 9th.

THE CORONER: Oh well, he did leave home on the 8th then. "When my Father left home on the 8th of December, 1948 - he worked on the evening shift in the Hesketh Pit, the night shift - he was in his usual state of activity and good health"?
A. Yes Sir.

THE CORONER: Mr Lythgoe, as you are here, I will ask you this. You have heard me read out what you said at the opening. Is that correct?

MR. LYTHGOE: Yes, quite correct.

THE CORONER: You have already been duly sworn. Are there any questions please?

MR HOLDSWORTH: No questions, Sir.

MR. SUNDERLAND: No questions, Sir.

MRS MILLICENT HUGHES, Duly Sworn.

Examined by the Coroner

8. Q. Now, is your evidence that Samuel Richard Hughes was your husband? A. Yes.
9. Q. Thirtyeight years old? A. Yes.
10. Q. A colliery fireman? A. Yes sir.
11. Q. Residing at 89, your home, Biddulph Road, Chell Green?
A. Yes Sir.
12. Q. Did he leave home to go to work on the night shift in the

Hesketh Pit on the 8th of December last in his usual . . . good health and state of activity? A. Yes Sir¹

THE CORONER: Any questions, gentlemen?

COUNSEL: No questions, Sir.

MRS ELSIE COOKE? Duly Sworn.

Examined by the Coroner

1. Q. Well, you made a statement to the police, did not you, which reads: " I am the wife of Henry Cooke, 48, Stringer Street Biddulph, Staffordshire" and was he 31 years old, a collier? A. No, he was 32 years old.
2. Q. Thirty Two years old? A. Yes.
3. Q. " At 8.30.p.m. on Wednesday, the 8th December, 1948, my husband left home to go to his work at the Chatterley Whitfield Colliery. He was in his usual state of good health, and his eyesight and hearing were good"? A. Yes.

THE CORONER: Are there any questions to this lady?

COUNSEL: No questions, Sir.

DR. A. J. McCALL, Duly sworn.

Examined by the Coroner.

4. Q. Well, my practice at inquests, and every coroner has to some extent to be his own authority in these matters, is to ask a pathologist in front of the relatives and parties if he confirms the report which the pathologists locally are good enough to give me in these cases, because I think there are obvious objections to reading it out in detail; and then ask him to state the cause of death which is shown in the report in his summary; and of course, he can give particulars now about any special features. Now in this case, Dr McCall, did you, at my request, make a post mortem examination on the body of a man whose name was given to you as Percy Ernest Shearer, aged 62, of Hill Top, Brown Edge, at the North Staffordshire Royal Infirmary on the 18th of December last, in your own pathological department? A. I did, Sir.
5. Q. You found him to be a very well built man? There was extensive scorching, and there was also a depression in the skin in the scalp on the right side A. Yes.
6. Q. You examined the heart blood and tested it and found that it contained approximately -- A. About 60 per cent of carbon monoxide.
7. Q. Carbo-zyhaemoglobin ? A. I beg your pardon, Sir, carbo-xyhaemoglobin.
8. Q. In your opinion, from what you found, Dr McCall, what was the cause of Mr Shearer's death? A. The cause of death in my opinion, Sir, was carbon monoxide poisoning, together with burning and an injury to the skull. I did not attach great significance to the injury to the skull, because there was no fracture and no evidence of injury to the brain.

9. Q. Carbon-monoxide poisoning following exposure to a noxious gas and an injury to the head, together with the scorching of the skin?. The chief cause was undoubtedly from the concentration of carbon mon-oxide poisoning was it not?. A. Yes Sir.

THE CORONER: I will call Mr. Hay to prove certain plans, and he can be recalled for the rest of his evidence later.

STANLEY HAY, Duly Sworn.

Examined by the Coroner.

1. Q. Mr. Stanley Hay, do you produce the plans now exhibited and on this table?. You had better just have a look at those two?. A. Yes Sir, I do.
2. Q. Can you confirm their accuracy?. Yes sir, to the best of my ability.
3. Q. And do they represent a part of the Old Whitfield District in the Hesketh Pit of the Chatterley Whitfield Unit?
A. They do.
4. Q. Of the National Coal Board?. A. Yes.
5. Q. Mr Hay, you have other evidence to give, but I do not propose to call this evidence at the moment, because the best order, I think, is to take the sequence. Would you mind giving a general description starting inbye here at the bottom of the plan?. (Witness described the plan).
6. Q. Now, a little in advance of the body of the evidence, would you just indicate whereabouts two of the three men were working?. That is to say two of the bodies have not been recovered?. A. This point here. (Witness indicated on the plan).

THE CORONER: Do you gentlemen see there that in the brown coloured section where Mr. Hay has just pointed the dark brown section goes nearly to the end, and then there is what looks like an apparent break with a very narrow line through, and then it widens out again to the normal width. I am speaking under Mr Hay's guidance, if he wants to correct me, the coloured part where it is blue or brown indicates the width, and when you get up at the top there with the black line, that is the actual coal face. Mr Hay will explain to you, knowing as you all do, that every coal mine has to be ventilated, particularly when the workings are situated a mile and a half away from the pit bottom.

THE WITNESS: This is the intake air. This is the return, in the red colour.

THE CORONER: The blue is called inbye, and where it commences to return back to the face is outbye? A. Yes.

THE CORONER: So you can see from all that, that these workings were being ventilated by the air coming right down a mile and a half along that big blue road, and some of the air is diverted to the left here and it comes right round by the fans.

THE WITNESS: Most of it comes up here. (Witness indicated on the plan).

THE CORONER: You were pointing to the belt? A. Yes Sir.

7. Q. That is bratticed off, is it not, more or less?. A. Yes.

1. Q. The main part would follow the biggest avenue?. A. Yes. Actually I think there are about 9,000 going there (indicating on the plan) and 10,000 elsewhere. This face being a small seam the velocity was quite high.
2. Q. What is the height, only three feet from the warrant to the roof?. Yes Sir, and the velocity was terrific in that width, about 20,000.
3. Q. That is all calculated and provided for, is it not? A. Yes Sir.
4. Q. You had better just point out where the two men were working, and another man who is here today. Will you remember, please that is where Mr. Harry Cooke and Mr Hughes were working?
A. Yes Sir. (Witness indicated on the plan)

THE CORONER: Is there anything on the plan that any representative or any member of the Jury would like further explaining?

MR. HOLDSWORTH: Yes Sir.

Examined by Mr. Holdsworth.

5. Mr Hay, there was compressed air up the point at Rowe's Heading where the two men were working?. A. Yes Sir.
6. Q. To work the shaker pan? A. Yes sir.
7. Q. What route did the air pipes take? They went up the dip and followed the same routes as the belts? A. Yes sir.

THE CORONER: I would like to know from Mr Hay at this juncture what would be the nearest place where men would be working to what will be shown to be the probable origin of the fire? What would be the nearest place men would be passing within?
A. Men were working there. (Witness indicated on the plan)

8. Q. That would be going inbye up the main level, would it not?
A. Yes.
9. Q. And would they occasionally be passing up the main level?
A. Elsewhere, but not necessarily along here.
10. Q. If they wanted to get to the face that would be the quicker way would it not? A. Yes.

JAMES BALDWIN, Duly Sworn.

Examined by the Coroner.

11. Q. Mr. Baldwin were you interviewed by Police Sergeant Boston on the 9th of December last, when he asked you what particulars you could give him about the fire which had then taken place in the Hesketh Pit Old Whitfield District? A. Yes.
12. Q. Did you tell him you were James Baldwin, of No. 5 Bridge St. Brindley Ford?. A. Yes Sir.
13. Q. And that you were employed as a collier at the Chatterley Whitfield Colliery? A. Yes Sir.
14. Q. Do you remember working in the Old Whitfield Seam at about 2.20 on the 9th?. A. Yes sir.
15. Q. Whereabouts were you? A. At 2.20 I was in Poole's Heading.
16. Q. Will you just come here and have a look at this plan and tell myself and the Members of the Jury if you can recognise it and if it is a correct representation of that part of the

colliery, and then will you point out to the Jury exactly where you were when you detected something? A. At 2.20 I was there. (Witness indicated on the plan) I first detected something when I was at that point. (Witness indicated on plan)

1. Q. That was a little after, was it? A. No, before, Sir.
2. Q. Well, in your statement you used the word "about", and what I want to know for everybody here is where you were when you first detected a smell? A. I did not detect any smell, Sir. I ran into a thick body of smoke about there. (Witness indicated on the plan).
3. Q. Which way were you going at the time? A. I was coming down this way. (Witness indicated on the plan).
4. Q. Quite so. At the material time, which is the one I want, you would be somewhere near Hughes and Cooke, would you not?
A. I was working with Hughes and Cooke at the time.
5. Q. You were working in the Hesketh Pit, re-opening a new face in the Old Whitfield Seam? A. Yes Sir.
6. Q. At a point called Poole's Heading, is it? A. Yes. We were working there, Sir. (Witness indicated on the plan).
7. Q. You mentioned Poole's Heading. That is what it is called, is it not? A. Yes Sir. This is an extension of the new face.
8. Q. Quite. Now Hughes was the fireman and Cooke was the contractor?
A. Yes Sir.
9. Q. Had four shot holes been bored, cartridges inserted and shots duly fired a bit before this? A. Yes sir.
10. Q. And after the shots had been fired did you start the coal - start sending the coal down on the conveyor? A. Yes sir.
11. Q. How long had that been going on, how many minutes or how long when you noticed that the conveyor stopped? About how long after the shots and after the coal had come down? A. I should say about 40 minutes, Sir, we were sending coal.
12. Q. That would be about 40 minutes after the shots, would it?
A. Yes Sir.
13. Q. That would be twenty minutes to two if your estimate of 40 minutes is correct? It would be about twenty to two, would it? A. It would be about two o'clock.
14. Q. When Hughes fired his shots? A. It would be about twenty minutes past one when Hughes fired his shots. We started to send the coal then.
15. Q. It would be between 40 minutes and an hour before the conveyor stopped? A. Yes sir.
16. Q. "In about 40 minutes to an hour after the shots the conveyor stopped"? A. Yes sir.
17. Q. You knew from that, that the compressed air must have ceased?
A. Yes sir.
18. Q. Did you notice anything about the ventilation? A. The ventilation was much better than it had been ever since we had been on the job.
19. Q. But at the time the conveyor stopped what did the ventilation do? A. I did not notice anything except that it was keener; it was better ventilation than usual.

1. Q. Well, do you remember that you told Sergeant Boston "The conveyor stopped as the compressed air went off and the ventilation went sluggish". When did the ventilation go sluggish?
That is, in relation to the stopping of the conveyor? A. We had a compressed air jet which helped the ventilation. It was not quite sluggish. It was giving quite a good ventilation.
2. Q. Well, I only want to recall what you are saying here. Does it amount to this? I had better put it to you: "The conveyor stopped because the compressed air went off", and you knew that because the compressed air was the thing that worked the conveyor?
A. Yes sir.
3. Q. "The conveyor stopped because the compressed air went off, and the ventilation went rather sluggish"? A. I should say it went a little lower. I would not say altogether sluggish.
4. Q. "Went a little lower" then? A. Yes.
5. Q. Does that mean the compressed air, after working the motors from the pans exhausted itself at the end to some extent? A. We had an injector here for use.
6. Q. Was it a special pipe? A. A special pipe we had to use occasionally.
7. Q. It was under your control? A. It was under the same control as the pans from here. When that stopped the pans stopped also.
8. Q. Oh, I see; it was automatic? A. Yes.
9. Q. It was not a case of if the fireman wished to obtain a little extra boost from that injector he could turn a lever. That was not it at all? A. Yes, he could turn more wind in his air, if need be. He could get more compressed air if he wished.
10. Q. Yes, that is my point; Normally, you would not want to, because the fan was adequate? A. Yes.
11. Q. "The ventilation went a little sluggish as the injector air ceased, but it was still good ventilation"? A. Yes sir.
12. Q. Did you say anything to Harry Cooke? A. Harry Cooke and the fireman. I said: "The wind has gone off. There is something the matter somewhere. We will go down to see".
13. Q. "I said to Harry Cooke" "There's something on somewhere. The winds gone off. We'll go and see whats up"? Why should you use that expression "we"? A. Well, if anything is the matter, if the wind has gone off, it is usually the mechanic who comes and couples up for an extension of pipes. We cannot do anything if there is no wind on, so we go down and help to do whatever job there is to be done.
14. Q. It is customary when three men are working in a heading like that for all of them to go down at once and see what has happened? A. There is nothing which can be done. We could not do anything there.
15. Q. It is customary for the three of them, and not one, to go down?
A. I should say so, Sir.
16. Q. Did the other two follow you? A. I do not know, Sir.
17. Q. Did you look round to see if they were coming? A. I assume I did.
18. Q. I suppose the only lights were your cap lamps? A. Yes.
19. Q. The whole of the length you never looked back to see if a couple of men were following you? A. No sir; I do not know

that I did.

1. Q. Where did you run into the smoke? A. Somewhere round there. (Witness indicated on the plan).
2. Q. Did you turn round and shout and tell them what was happening?
A. No sir.
3. Q. Right. At any rate when you had gone about 25 yards down did you tell Sergeant Boston that dense smoke met you? A. Yes sir.
4. Q. To say the least that was not normal, was it? A. No sir.
5. Q. And was it sufficiently dense for you, in your own words, to make a dash through it on your hands and knees? A. I did my to control my breathing until I reached that point. Then I fell across the cross belt into Poole's Heading, where the air was clear, and I lay exhausted.
6. Q. I thought we were ambiguous regarding Poole's Heading before. You were at work opening a new face? The correct term would be: "Above Poole's Heading", would it not? A. Yes sir.
7. Q. You did not quite answer my question then, you know. Did you tell Sergeant Boston, and he took it down, read it to you, and you signed it: "I made a dash through it on my hands and knees, and when I got to the bottom of the face I was exhausted and crawled into Poole's Heading"? A. Yes sir.
8. Q. You recovered your breath a bit below there, did you not? A. Yes.
9. Q. And did you tell the officer: "After a few minutes I crawled along the heading and when I got there the air was clear? Had you remembered Hughes and Cooke at that juncture? A. No sir.
10. Q. And there was no sign of them? A. No sir.
11. Q. You say you met some men there? Can you just show the Jury whereabouts the men were when you met them? (Witness indicated on the plan)
12. Q. So you had gone right along to the top end of the face? A. Yes.
13. Q. "I met some men there and told them that something was wrong and told them to knock the trips out". By "trips" you meant the circuit switches? A. Yes sir.
14. Q. Did you tell them anything about Cooke and Hughes being behind you? A. I do not know, sir.
15. Q. You do not remember? A. No sir.
16. Q. You told the officer: "I then saw there was a fire in the belt dip". Surely you had seen the fire in the belt dip before you reached the top of the face? A. No sir.
17. Q. When did you see it? A. I saw the fire when I was coming along there. (Witness indicated on the plan). When I met the fireman I told him there was something up somewhere, and he said: "Go and knock the trips out," and he came along here. (Witness indicated on the plan).
18. Q. Quite. So it is not correct, is it, when you say: "I then saw there was a fire"? A. I saw the fire when I got to the bottom.
19. Q. Were you then in company with the fireman? A. Yes sir.
20. Q. Which fireman was that? A. Mr Brough.

1. Q. So it was Mr. Brough who told you to knock the trips out? A. Yes.
2. Q. Mr. Brough was the fireman who was at the face? A. Yes sir.
3. Q. Now, when you went down with him along the Main Level you saw that there was a fire in the Belt Dip? A. Yes sir.
4. Q. Just point out to the Jury just to check up where you were. (Witness indicated on the plan) There were two doors there with a belt delivery to thus one.
5. Q. What were the doors for? A. The doors were put in there to allow the biggest amount of ventilation to go this way and ventilate the face. (Witness indicated on the plan).
6. Q. They are doors which control the ventilation? A. Part control it.
7. Q. Both to the Belt Dip and to the Main Level? A. Yes sir.
8. Q. By that time had some of the men come down with Fireman Brough?
A. I believe so sir. I cannot be sure on that point.
9. Q. Well, did you tell Sergeant Boston: "The men started to throw some dust into the Belt Dip to try to put the fire out? A. Yes.
10. Q. They were unable to do so? A. Yes sir.
11. Q. You then say you felt very ill and came out of the pit? A. Yes sir after Fireman Brough asked me where the other men were. I said: "I don't know". They had not landed down into the heading and I came out when he and I had started along. He asked me where the others were and I said I did not know. He said he would go back for them.
12. Q. He did go back for them. A. He started back along there. (Witness indicated on the plan).
13. Q. He left you, anyway? A. Yes.
14. Q. You felt ill and came out of the pit? A. Yes.
15. Q. Did you tell anybody you were going out of the pit, or did you have any authority to leave the pit? A. I saw Mr Charles Taylor along the main crut. He said: "Where are you going?". I said "I am going home. I have had enough," and we came out this way. (Witness indicated on the plan).
16. Q. When you left Hughes and Cooke to see why the conveyor had stopped, it is a fact, is it not, they were still continuing their work at the face or heading? A. They could not do any work in that heading.
17. Q. No. At the time the belt stopped they were right up as far as they could get, were they not? A. We were all three together.
18. Q. Were you not a little lower down? A. No sir.
19. Q. Were you not behind them? A. Until about, we will say, we had drawn out for another pan to go on. It would be about 12 feet from the face. I was the bottom man.
20. Q. Therefore, they were above you at your place of work. A. About two yards.
21. Q. They would have the same opportunity of knowing that the pans had stopped, as you, would they not? A. Yes sir.
22. Q. According to you, you said: "We will go down and see why the pans have stopped; see what the trouble is? You knew it

was trouble? A. Yes sir.

1. Q. You got down 25 yards below where you had been working and then you got into dense smokt? You have also told the Jury you did not look back to make sure that Hughes and Cooke were following you, and you did not know whether they were or not? Did you shout to them again and say there was smoke? A. I do not remember doing so, Sir.

Examined by Mr. Jenkins

2. Q. Can you tell His Majesty's Coroner the way you took into the face that night? A. We went up here. (Witness indicated on the plan). First of all I went along there to fetch some pins to enable them to put the pan on top of the face. I came back and went up there and along there. (Witness indicated on the plan) We went along there to strip ourselves of our pants and went along the face.

THE CORONER: At that time there was no haulage in operation at all? The belts were still idle? A. Yes sir.

MR JENKINS: Were you accompanied in going into that particular face that particular night, Mr. Baldwin? A. Yes. Me and Cooke went by the Belt Dip from the Main Level. We came into here, and then Cooke went up there alone. (Witness indicated on the plan)

THE CORONER: "Me and Cooke went by the Belt Dip from the Main Level"? M. Me and Cooke came along here into here. (Witness indicated on the plan).

THE CORONER: All this is being taken down, and if you use words like "here" nobody will know what it means when they read it. You entered by the Main Level with Cooke and you went up the Belt Dip with Cooke? A. No, sir. I did not go up the Belt Dip with Cooke.

3. Q. "Cooke went up the Belt Dip alone while I went up the Main Level to fetch some tools. I returned to the Belt Dip". Is that it?
A. Yes sir.

4. Q. "I went up the Belt Dip, " and then what do you call that short passage you were working in? What is that road? A. They always call that the cross belt.

5. Q. Oh, the cross belt comes there, does it? A. Yes sir.

6. Q. "I went up the Belt Dip, turned to the right by the Cross Belt and then turned to the left to the heading". That is correct is it? A. Yes Sir. When I got there I started the belt up.

7. Q. "When I got there I started the Belt up"? A. When we got there Cooke had already started the belt up. Cooke started the Cross Belt.

MR. JENKINS: These are the usual arches, 15ft?. Thirteen feet, I think.

8. Q. There is no particular danger to a miner going up there while the belt is in motion? A. No sir. Waggons are there as well.

THE CORONER: In other words there is plenty of room. The belt is on one side and there is plenty of room on the other? A. Yes sir.

9. Q. You were the one that started that belt? A. Yes sir.

10. Q. Like you started the cross belt? A. No. Cooke started it.

11. Q. Just before Mr. Jenkins questions you again, when you went up

there was everything in perfect order? A. Yes sir. I never noticed anything out of the ordinary.

1. Q. Well, you would have done, would you not, with your experience? A. Yes sir.
2. Q. Everything was in order at that time. Now, what time would that be? A. I should say about half past ten.
3. Q. "I started it up at about ten thirty. Everything was then normal". That is in the Belt Dip. "Everything in the Belt Dip was then normal. Cooke started up the Cross Belt.

MR JENKINS: You said you started up the dip belt from there? A. Yes sir.

4. Q. Was there any coal on that conveyor when you started it up, or was it empty? A. I could not say, Sir; I think it was empty.
5. Q. What time did the fireman arrive at the face? A. Mr Hughes. It was twenty minutes past twelve when he arrived there.

THE CORONER: There was no coal on either of the belts? A. I do not think so, sir.

6. Q. I did not get his reply to you, Mr Jenkins. What time did Mr. Hughes get there? A. Twenty past twelve.
7. Q. And, of course, until then there was no shotfiring? A. No sir. We did the boring and fetched some old iron posts.
8. Q. You had to set the posts before the shots were fired? A. No sir. We went into this old heading and fetched some old iron props. We utilised the old iron props in order to save us going to get any more. We used the old iron props from there.
9. Q. What time did Mr. Hughes arrive? A. Twenty past twelve.

MR. JENKINS: Was there any loose coal available on the face before these shots were fired? A. No. Mr Cooke started at that point, Sir. (Witness indicated on the plan). There is anoon shift, and they had knocked a small aperture through the old heading and we commenced to widen that out there to better the ventilation and so that we could go up there; and the fireman could go up there to examine it, but there would not be a great deal of coal on that account; but that is what we were doing until the fireman came to us.

10. Q. In addition to boring the shot holes, I suppose? A. When the fireman came to examine that he said: "There are some iron props there you can have." Cooke and I went through and fetched them. Then we did the bore, and then he had to fire his shots which took quite a considerable time.
11. Q. It was after the shots were fired coal was available to put on the shaker conveyor installed at that particular place?
A. Yes sir.
12. Q. Am I to understand that from the time you started up the Belt Dip that there was approximately two hours elapsed before any coal was conveyed on those belts? A. From the time Hughes got to us at twenty past twelve and the time we started to send the coal and the coal was fetched was about one hour.
13. Q. That would mean the belts would be running idle for about an hour? A. They were, but we did send some coal down. We did send a little we got from widening the heading out

THE CORONER: There was a little loose coal there? A. No, we had to get it.

1. Q. So there was a reason for having these belts in action for not one hour but two hours, if your time is correct? From 10.30 to 12.30 there was a reason to have them rotating the whole of the time? A. Yes sir.

MR JENKINS: Was it necessary to have those belts running during all that period? A. I should say so, sir. If the belt was not running we could not send the coal.

THE CORONER: Where is the nearest telephone? Is there any provision for getting the belts started up by sending a message down that you are ready for the belts to start? It would mean you coming back the way you came in? A. Yes.

2. Q. Can you start the belt at the top end or not? Am I correct in saying that to start the belts, both of them, you would have to go down near the doors where the control is? A. Yes sir.

THE CORONER: So I was correct.

MR JENKINS: What quantity of coal would you suggest, or perhaps you can tell us, was obtained from that top?

THE CORONER: Before the shots were fired? A. I should say about four tons - about 10 loads.

MR. JENKINS: And that was obtained by two men - yourself and Mr Cooke? A. That was in one dressing. We used to have two lots of shots fired during the shift. That was on the first.

3. Q. I am not referring actually to after the shots were fired, but before the shots were fired? A. The amount of coal we sent before the shots were fired?

4. Q. Yes? A. I should say it was about a load and a half; perhaps about eight cwts.

5. Q. Could that comparatively small quantity be stored on the face conveyor without having to start it up? A. I do not quite understand, sir.

6. Q. Could it not be retained on the face conveyor until such time as the conveyor was started? A. No sir. Those conveyors, once you have got your coal on and you only got them shaking gently, the coal comes down at a fair rate.

THE CORONER: What is the gradient, Mr Hay?

MR. HAY: One in 4.25.

THE CORONER: One in $4\frac{1}{4}$?

MR. HAY: Yes sir.

THE WITNESS: There is no such thing as starting the conveyors up and loading them gently, because after you have got your pan half full it used to run down in the cross belt.

MR. JENKINS: The point I am getting at is that the belt conveyor is running almost two hours, while the quantity of coal that was obtained was comparatively small. I fail to see why the belt should be running during the whole of that period. That is the only point I have got? A. We could not load those conveyors to hold that eight cwt of coal. Therefore, we should have to let the belt stand, causing spillage and besides causing trouble and blocking the conveyor. It had to be kept

be kept going even only for a small quantity.

1. Q. That would have meant you would have to go down from the top end to the bottom of the face to re-start when you were ready?
- A. We had to clean a lot of it up.

THE CORONER: May I just interrupt, and put it another way?. Did you do it to save yourself the trouble of going down to start that belt two hours later? A. Well we started -----

2. Q. No, answer the question. Did you do it to save yourself the trouble of coming down to start the belt round about two hours afterwards? A. Well, we did at that point.

3. Q. I am not talking about "we". What did you do? A. I did; I suppose so, yes sir.

MR. JENKINS: On the question of ventilation, Mr. Baldwin, you mentioned the compressed air pipe? A. Yes sir.

4. Q. Was that actually in use on the night of the occurrence?

THE CORONER: That is the injector?

MR JENKINS: Yes sir.

THE WITNESS: Yes sir. It was always in use. It was always left with so much wind going through it.

- MR. JENKINS: Was it blowing at the same pressure on that particular night as previous nights?. A. Yes sir. I do not know that it had ever been altered.

THE CORONER: It was always in use with a constant pressure? A. Yes sir.

- MR. JENKINS: And how did the ventilation travel up that face?. Did it go up the face and return, or straight through to the top end?.
- A. From here and round through along there. (Witness indicated on the plan)

5. Q. So there was a circuit for the ventilation? A. Yes sir.

6. Q. What was the purpose of the injector? A. At times in that old carving here there had been falls of dirt and there was a small amount of packing put on on that side in places. It had probably been put in when the heading had had repairs done to it, I suppose, but from that particular point to the top was a pretty good road, and we had also opened that out, which gave us a better ventilation than ever we had had on the previous night before.

7. Q. So on the night of the occurrence the ventilation did not depend entirely on that injector? A. No sir. It was only there in case we needed it.

THE CORONER: I did not get your last question; I am sorry.

MR. JENKINS: He said that the ventilation of the developement face did not depend entirely on the use of this injector. You mentioned to the learned Coroner that there were only cap lamps on this face? A. Yes sir, but also oil lamps, of course

8. Q. Did you not have an oil lamp? A. Yes sir.

THE CORONER: Yes. I have got that.

MR. JENKINS: Did you see the fireman test for gas before firing the shots? A. Yes sir. He went up here to the top first and examined, as we were only 15 yards or so from the top. He went up there and came back again.

1. Q. So that the ventilation was satisfactory before the firing of the shots? A. Yes sir.

Examined by MR. HOLDSWORTH.

2. Q. Mr. Baldwin, you told us you started the two belts. Who started the face conveyor?

THE CORONER: He started the dip belt.

MR. HOLDSWORTH: Cooke started the dip belt. Who started the face conveyor? Mr. Cooke? A. Yes sir.

3. Q. At the same time, I suppose, as he started the cross belt?

THE CORONER: Well, a bit later.

WITNESS: When he got there; just after he had started the other one.

MR. HOLDSWORTH: A minute or two afterwards? A. Yes sir.

4. Q. Now, were you putting coal on to the face conveyor right up to the time that the air went off? A. Yes sir, from after firing the shot.

5. Q. After the shots. Once the shots were fired you started putting coal on and you were putting it on continually until the air went of, and then, of course, you put no more on? A. That is right, Sir.

6. Q. Then you went down the heading to see what the trouble was and ran into the smoke? A. Yes sir.

7. Q. When you got to the point where the cross belt meets the face conveyor? A. There sir. (Witness indicated on the plan).

8. Q. That is it. Did you fall over the cross belt? A. Yes.

9. Q. It was thick smoke and you would not see it, and you fell over it? A. Yes sir.

10. Q. Was it running? A. I do not think so, sir; otherwise, it would have carried me down the dip.

11. Q. I was going to say that. Well, you must know. If you fell on to it and it was running it would have carried you out? A. Yes.

12. Q. It must have stopped by this? A. Yes.

13. Q. They were electrically driven? A. Yes.

14. Q. Did you happen to notice --- of course, you would not see because of the smoke, and I do not know if you have thought of it -- whether there was any accumulation of coal at the point where the face conveyor delivered to the cross belt?
A. I could not say.

15. Q. There was not a heap that you fell on to? A. No sir.

16. Q. So as far as you could see there was no spillage there?
A. No that I saw, sir. I could not say for sure. Of course, I could not see anything. I was almost exhausted.

17. Q. Of course, you would not see it. I wonder if there was a heap of stuff you fell over? A. I did not notice it.

18. Q. Did you look at your watch at any point? A. I looked at my watch when I was about there (Witness indicated on the plan) After I had gathered myself up out of there. I lay there a few minutes; I do not know how long. I started along there

and looked at the time, and it was 15 minutes past two.

1. Q. When you got into clear air along Poole's Top Heading it was 2.15? A. Yes sir.
2. Q. Was your watch right, near enough? A. Well, it has never let me down yet, sir.
3. Q. It was all right the night before, so it was about right the next morning, and that was 2.15? A. Yes sir.
4. Q. I would/^{like}to confirm where you met the first man? Was it just at the very top end of Poole's face? A. Well, I did meet someone there, but I could not say who it was. I met Mr. Harold Lowe. About there, near the top end. (Witness indicated on the plan)
5. Q. There is something else I want to ask you about. You went down with other men to the bottom end of the Belt Dip, did not you? A. I came along here, with Brough, to there, (Witness indicated on the plan).
6. Q. And you looked in and you could see the fire, could you? A. Yes sir.
7. Q. Where was the beginning of the fire -- just beyond the motor? A. It would be, I should say, about two or three yards from the door. It would be in the vicinity of the motor.
8. Q. Yes, quite close to the motor? We will give the jury a picture of this. The motor is just inside the door is it not? A. Yes.
9. Q. Just a little bit up the belt dip and on the right, is it not? A. Yes sir.

THE CORONER: Just point it out. You can point the very place out. (Witness indicated on the plan).

MR. HOLDSWORTH: When you looked in, the fire had got well going, had it not? A. Well, the fire seemed to have a very good hold. Everything that could be burning seemed to be burning. I could not see up the dip.

10. Q. It was flames, was it? A. Yes sir.
11. Q. And then it was alight, you could see? A. Yes sir.
12. Q. Could you see the electric cables? There are electric cables which go up the Belt Dip? A. Yes sir.
13. Q. Could you see them? A. Yes sir.
14. Q. Did you see them? A. Yes sir.
15. Q. Were they still hanging to the roof? A. I believe so, Sir.
16. Q. Well, if you saw them you must have a picture of them. Where were they? A. They were on the side here. (Witness indicated on the plan)
17. Q. Were they in their proper place? A. Yes sir.
18. Q. They had not fallen to the ground? A. No sir; I did not notice anything of the kind.
19. Q. They did not appear to be broken? A. I did not notice sir.

MR. SUNDERLAND: No questions, sir.

Examined by Mr. Sumnall

1. Q. You have told the Coroner and Jury where you were at the end of the face when this conveyor stopped. What did you say to Hughes? A. I said: "We will go down and see what is the matter".
2. Q. What did Hughes say to you when the conveyor stopped? A. He did not say anything. When next he spoke to me, he said "Yes"

THE CORONER: Mr. Sumnall's question was perfectly clear, What did you say? A. What did I say to Mr. Hughes? I said to Mr. Hughes: "The wind has gone off. There is something the matter somewhere. We will go down and see what the trouble is", or words to that effect, anyway.

MR. SUMNALL: And you left Hughes and Cooke there after you had told them you were going down? A. Under the impression they were following me.

3. Q. You left them there? A. Yes sir.
4. Q. When you got so far down that heading you came across this smoke? A. Yes sir.
5. Q. You say you travelled all the way up that top heading up to the top of the other face? A. Yes.
6. Q. You met your first man, did you not, the first person working on that face? A. Yes sir.

THE CORONER: He thinks there were two rippers working up there?
A. Yes.

MR. SUMNALL. Did you ever think about this smoke, or did you say something else? A. I do not remember saying anything to those rippers. I said something to Harold Lowe. I think the first person I spoke to was Mr. Brough.

7. Q. So, knowing there was some danger in the vicinity you had come from, you left those men there and never said anything to them? A. Well, Mr Lowe was there.
8. Q. You travelled along the face and you have told the learned Coroner and the Jury you met a deputy or the fireman? A. Yes.
9. Q. Are you sure about that? A. Yes sir.
10. Q. Did you not ask these four men on that face where the fireman was? A. I believe so, yes sir.
11. Q. And where did they say he was? A. They said he was lower down.
12. Q. You went out, and came into the Belt Level, did you not?
A. Yes sir.
13. Q. Before you saw the fireman? A. No sir. I met the fireman here, on this face. (Witness indicated on the plan).

THE CORONER: He is the next witness.

MR. SUMNALL: Did you not see a person named McAteer at the top end of that level? and ask him where the fireman was? A. I do not remember, Sir.

14. Q. You do not remember? A. No sir.
15. Q. Did you stand there opposite the telephone box? A. No sir.

1. Q. When Brough went in and telephoned? A. I do not follow you, Sir. Would you explain where the telephone box is?
2. Q. There is a telephone at the top of that belt, is there not?

THE CORONER: Well, first of all, he met Brough, and he said, Mr. Sumnall, he met Brough at Poole's face. Now then, it was after you met Brough that Mr. Sumnall is putting his question about the telephone box. A. The telephone out here? (Witness indicated on the plan)

3. Q. No, I think it will be the one at the bottom of the face, just on the main road. It is not marked there. Do you know where the telephone box is there? A. Along here. (Witness indicated on the plan)
4. Q. You say there may be one, but you do not know for certain?
A. I daresay there is one there.
5. Q. You know where the switches are, do you? A. No sir; I could not say. I have never used the telephone.

MR. SUMNALL: You know nothing about that? A. No sir.

6. Q. Well, did you come along with Mr. Brough to the bottom of the Belt Dip? A. Yes sir.
7. Q. Is it correct to say that Mr. Brough opened the door, and had a look in and saw the fire? A. Yes sir.
8. Q. Along with you? A. Yes.
9. Q. Did he not ask you and some other persons to get as much dust as you could and start and throw it on the flames? A. Yes sir.

Adjourned For A Short Time

THE CORONER: Mr. Sumnall, will you complete your questions, please; and then we can call the next witness?

Examination by Mr. Sumnall Resumed:

10. Q. You started up the stone dusting and using the extinguishers when you had the instruction from Mr. Brough? Did he tell you to go and get the men off the face --- get all the men out?
A. I do not remember, Sir.
11. Q. Can you not remember it? A. No sir.

THE CORONER: Well, Mr. Brough will be able to tell you.

THE WITNESS: I was in rather an agitated state, sir. I had been exhausted for quite a while.

MR. SUMNALL: So you cannot remember Mr Brough giving you these instructions?

THE CORONER: No, he has told us that.

THE WITNESS: I do not remember all that took place.

MR. SUMNALL: Did you, when you practically got to the top end of the face, meet Mr. McAteer, who is a trainee, and inform him that Brough had told you to tell him to go and fetch those men off?
A. I do not remember.

12. Q. You cannot remember that? A. No sir.

1. Q. Did Mr. McAteer go on the face, and can you state where you were? A. I stood there for quite a considerable time
2. Q. No, I am talking about the top end of the face. You went up to McAteer and told him that Mr. Brough had given the instruction for him to go up? A. When I came out of the dip with Mr. Brough I never came back. I went home from there.

THE CORONER: Did you not go on to the face again? A. No sir.

MR. SUMNALL: You did not speak to Mr. McAteer then?

THE CORONER: He has not said that.

MR. SUMNALL: You do not remember telling McAteer he had to fetch those men off? A. No sir. I do not remember. I may have done.

MR. SUNDERLAND: No questions, sir.

MR. HOLDSWORTH: Before the witness goes, in view of the rather severe --

THE CORONER: Could I put the question, first?

MR. HOLDSWORTH: Yes sir. Only, in view of the fact what he had already been through, I wanted the Jury to understand the position.

THE CORONER: When you reached the smoke and entered it you have told us you did not look back to see if you were being followed? Did you at the time believe that Hughes and Cooke were following you? A. Yes sir.

MR. HOLDSWORTH: That is one point, sir. The other was that he has been rather attacked as not knowing what happened afterwards. It might be fairer to the witness for the Jury to understand his statement at the time. He had been through all this dense smoke and had been actually out unconscious for a few minutes.

THE CORONER: Yes. All right, thank you.

MR. SUNDERLAND: May I ask one question? Mr. Baldwin, before you entered the smoke, of course, you saw the smoke ahead of you? You saw you were entering something? A. The moment I entered the smoke I was completely enveloped.

3. Q. Mr. Baldwin, you saw it before you entered it? A. I was in it straight away.

4. Q. As soon as you realised it was something, why did you not shout to Hughes and Cooke at once? A. The smoke was so thick it caused me to gasp and I just shut my mouth.

5. Q. That was when you were in the smoke. There must have been a moment at least before the smoke enveloped you when you realised it was smoke? A. It was only a matter of a few seconds.

6. Q. Why did you not shout? A. I could not.

THE CORONER: When you could see smoke drifting up with the ventilation?

A. I was in the smoke before I realised I was in it. I was coming one way and the smoke was coming the other.

7. Q. Yes, quite; you were meeting each other? A. I was in it before I knew where I was.

8. Q. That is your answer is it? You were in the smoke before you knew where you were? A. Yes sir.

A JURYMAN: May I ask a question? Was it possible Hughes and his pal

saw the smoke?

THE CORONER: He could not speak of that. That would only be an opinion.

THE JURYMAN: Was it possible he had an idea that Hughes and his pal could see it, even if he could not speak?

THE CORONER: May I put it in another way for you? The smoke was going up towards Hughes and Cooke? A. Yes sir.

1. Q. If they stayed where they were it would reach them because it could not do anything else? A. Yes, in a matter of a few seconds.

2. Q. So that even if they did not see the smoke as soon as you did, they must have seen it within a few seconds? A. Yes sir.

THE JURYMAN: What I wanted to get at is that they had the same opportunity of getting out. They could see it almost the same time that this fellow saw it? A. They had the same opportunity, provided they started down the face behind me with within a yard or so of me.

3. Q. What I wanted to get at is -- did they see it? I have an idea what this place is like. I have had 50 years' service.

THE CORONER: He cannot say that. From the point of even elementary evidence, we can imagine; but we cannot say definitely what they could see or notice. As this witness has said, the smoke was going up there and it was bound to go up towards them. Perhaps we had better bear in mind he reached the smoke and got through it first. He had a bad time, and, incidentally, fell over the cross conveyor, and he had difficulty in getting through to Poole's Face. The other two, being a few yards behind, if no more, would have a greater difficulty; and, therefore, of course, it is obvious they may have been overcome there. We do not know. They may even have been collecting one or two things to bring back with them; I do not know.

THE JURYMAN: I was wondering whether they got the same opportunity as him -- whether they saw the smoke at the same time as him, even if they were going into it. It is possible with electric lights they might have seen the fumes coming.

THE CORONER: Even if they were close on his heels, though probably nobody will now consider they were, they would still have rather a greater handicap than he, because he was first off the mark.

THE JURYMAN: Yes, certainly.

THE CORONER: He believed at the time they were following him, but, of course, he can only carry it that far and no further.

A JURYMAN: Can anyone please inform me what velocity of air there was in that area?

THE CORONER: You will get that from the proper witness later on, I think we had better take each witness in order. I want to be optimistic and say we ought to finish this afternoon if we set about it. I am now calling Mr. Brough.

WILFRED BROUGH, Duly Sworn.Examined by the Coroner.

1. Q. Wilfred Brough, of Mow Lane, Gillow Heath, Biddulph, are you a shot fireman at the Chatterley Whitfield Colliery, Mr. Brough.
A. Yes sir.
2. Q. Do you work in the Hesketh Pit? A. Yes sir.
3. Q. And, latterly, have you been working at Poole's Face, which is shown on the plan? A. Yes sir. I am in charge of that district.
4. Q. And you recognise the plan as being a correct representation of the district? A. Yes sir.
5. Q. In your statement to Sergeant Boston you said that at about 2 o'clock on Thursday, the 9th of December you were following your employment at Poole's Face in the Hesketh Pit when you were told by the last witness that you had better go with him, as there was smoke coming off the Belt Dip and you had better go down to see what was the matter?. A. Yes.
6. Q. From that, without any explanation, you would know he had detected smoke at the top end, off the cross belt? A. He had detected smoke up here. (Witness indicated on the plan).
7. Q. And you would have to go down to the Main Level, to see where it originated? A. Yes.
8. Q. With respect to the time, after hearing the previous evidence might it have been quarter to 20 past two. A. Approximately, two o'clock.
9. Q. You think it was two o'clock?. A. Yes sir.
10. Q. Did you check it at the time you reported it? A. No sir.
11. Q. It might have been a bit after? A. No.
12. Q. You are a big man who knows his own mind, I am glad to see. You are going to stand by what you told the officer - it was about two o'clock? A. Yes sir.

THE CORONER: All right. Now, is there any objection to my reading the account which this witness gave to Police Sergeant Boston, and then putting it to him and asking him whether he agrees with it now or not?

MR. HOLDSWORTH: I should think that would be the best thing.

MR. SUNDERLAND: Yes sir.

MR. HOLDSWORTH: Yes sir. If the witness listens carefully and corrects any points necessary.

MR. SUMNALL: In respect of what was said about the last witness I would like to say this witness was properly knocked out and laid out. I would like it to be understood that what he said to the Sergeant at the time was said when he was not really in a fit state.

THE CORONER: I do not think you need worry what he said to the Sergeant. He was all right, and I am going to try and spare you any anxiety, Mr Sumnall. Well, Police Sergeant Boston took down a statement which you gave to him respecting this unfortunate accident - this fire? A. Yes sir.

1. Q. I will read it from start to finish, slowly, and then you can tell me if there are any little bits you want to put in. If there is anything else you can tell us and if there is anything you want to alter, you must let me know, at the time, as Mr Sumnall has rightly remarked, you had been pretty badly exhausted? A. Yes sir.
2. Q. " At about 2.a.m. on Thursday, the 9th December, 1948, I was following my employment in the Hesketh Pit?. That is Poole's Face? is it? A. Yes sir.
3. Q. ".....when I was told by Jim Baldwin" the last witness" .. that I had better go with him, as there was smoke coming off the belt dip, and that we had better go and see what was the matter. We went down the face, along the main level, to the bottom of the belt dip, and when I opened the ventilator door at the bottom of the belt dip, I saw a mass of flames...". Is it a correct and moderate statement to say that you looked into a furnace. It was just like a furnace? A. After the manner of a furnace.
4. Q. Was that extending from the warrant right to the roof. A. The timber in the roof was afire, and the cable and the belt dip stoppings on the roadside.
5. Q. Everything that there was - the stores, the cables, and the roof timbering - the whole were ablaze? A. Yes sir.
6. Q. And the belt ? A. Yes sir.
7. Q. Incidentally, the belt is of rubber composition which would, after it had started, be inflammable? A. Yes sir.
8. Q. " I told Baldwin to call the men off the face?. A. Yes sir.
9. Q. Did you think he had gone to call the men off the face? A. Yes.
10. Q. Was there any reason why, from his appearance at the time, he should not have gone up the Main Level, and gone to the face to call the men off? A. No sir.
11. Q. And while he had gone, as you thought, to the face, did you tell the officer : " I had all the electric current cut off? You actually got on the telephone in touch with the night overman? A. Yes sir.
12. Q. First of all, you got the current switched off by message?
A. Yes sir.
13. Q. They switched it off down the main crut, did not they?. A. Yes, the telephone is here (Witness indicated on the plan) I instructed Mr Baldwin to fetch the men off the face and I went to the telephone here (Witness indicated on the plan).
14. Q. Do you think he was in front of you ? A. Yes.
15. Q. You did not know. You thought he had gone in front of you?
A. Yes sir.
16. Q. When you reached the telephone before you got to Poole's Face, you immediately bang up to see the man switches were off? A. Yes, I telephoned asking them to cut their main current off.
17. Q. That was acknowledged and they undertook to switch them off at once? A. Yes.

1. Q. And they knocked the switches off while they were on the telephone practically, or did they put the phone on the receiver and apparently switch them off immediately afterwards?
A. While he was telephoning he would have one hand free and take the trips cut and knock the trips out with his hand while I was telephoning to him.
2. Q. So you could be satisfied from the reply that all the current was switched off? A. Yes sir.
3. Q. Did you then get into touch with the night overman on the telephone? A. Yes sir.
4. Q. Was that Mr. Carr? A. Mr. Carr.
5. Q. Did you then go back to the Belt Dip and see the men had got clear? A. Yes sir.
6. Q. Had someone told them? A. Yes.
7. Q. Did they, under your direction, or they may have commenced before you got there, commence to throw stone dust on to the fire? A. Yes sir.
8. Q. Were they doing that when you got there, or were they waiting for you to open the ventilator doors? A. Well, they had started getting the stone dust. They had got that ready.
9. Q. Then, under your directions, they started heaving the stone dust, which was bagged, on to the fire as best they could? A. Yes sir.
10. Q. Now, after starting them on that, and seeing that they were doing what was possible at that moment, did you go inbye and up the face and along Poole's top head for a certain purpose?
A. Yes sir.
11. Q. What was that purpose? A. That purpose was to see where Richard Hughes and Harry Cooke were.
12. Q. Was that because Baldwin had said nothing about them having been up there, or was it because you knew their place of work, and as they had not come out with Baldwin you were getting anxious where they were? A. Yes sir, I knew where they were working.
13. Q. You began to get anxious where they were? A. Yes.
14. Q. So without any conversation, and on your own initiative, you dashed up the face without saying anything to anybody, and got as far as you could into Poole's top head? A. Just before I went, when the men were bagging the fire, all I said was: "Is anybody coming with me to see if we can see anything of Hughes or Cooke?". I do not know if anybody heard me or not.
15. Q. In any case, you went on your own, without waiting to see whether you were followed or not, and the men were doing what they could with the stone dust? A. Yes sir.
16. Q. You found out presently there was no chance of your getting up to Rowe's Heading, which is the point where they were working? A. that is right.
17. Q. Will you show the members of the Jury where you were, which is still in Poole's Heading, when you first began to run into some smoke, although it was against the ventilation? A. I think about 15 or 20 yards.
18. Q. At that time had the ventilation altered a bit, or was it just about normal for that corner? A. No, it was normal.

1. Q. But, in spite of that, there was sufficient smoke and sufficient velocity of smoke to come down and back up, to some extent, against the ventilation? A. Yes.
2. Q. Now, you told the officer you tried to get forward? A. Yes sir.
3. Q. You soon discovered that you could not? It was not humanly possible? You were unprotected in any way; you had no respirator; and did you do the only thing you could have done - began to come back again? A. Yes sir.
4. Q. And by that time what had you found as regards smoke then? A. I could not exactly say; it was thick, but I could not exactly say how far.
5. Q. Do you agree with what you told the officer, when you did turn back you found there was a cloud of smoke behind you that was working towards Poole's Top Heading? A. Yes.
6. Q. Was it steadily working against the ventilation? A. Yes sir.
7. Q. I think you have not said anything about it in your statement, but would it convey to you, as a very experienced man, that the Belt Dip must have been like a flue, and there must have been a very considerable force of fire and smoke coming up that flue towards the Cross Belt, and, consequently, creating a lot of pressure there, and, of course, going up concentrating towards Rowe's Heading? A. Yes sir. When we were fighting the fire we got these doors open and short-circuited the ventilation.
8. Q. As you have told us, not only backing up there, but with sufficient pressure behind it to come against the ventilation into Poole's Top Head? A. Yes.
9. Q. Did you then again do the only thing you could do in your position - make a dash through the smoke which was accumulating even behind the way you had come, and go back to the Top Head Trip? A. Yes.
10. Q. That is what you wanted to switch off? A. No, we were not using the Top Head Trip.
11. Q. At any rate, you wanted to get back? A. That was the only way back.
12. Q. Quite. By this time you had travelled a considerable distance? You had been in the smoke for sometime? You had tried to get further than you did get and found it was not possible, and you came back as fast as you could - 200 yards or a bit more? A. Two hundred and ten yards above Poole's Top Head.
13. Q. You travelled 130 yards down that very narrow three foot roof then, and got into the Main Road, and as quickly as you could you got back to the Main Level and the bottom of the Belt Dip? Did you then, as far as you were able to, see what was going on there? A. Yes.
14. Q. You did open the ventilation door and had another look inside and satisfied yourself? A. Yes sir.
15. Q. And at that time you passed out and were brought out of the pit on a stretcher? A. Yes sir.

Examined by Mr. Jenkins:

16. Q. Mr. Brough, what were your statutory duties on this particular night? What were you responsible for? A. I was responsible for the face from here to the top heading. (Witness indicated

1. Q. Did you inspect the Belt Dip during the night? A. No sir.
2. Q. Would that have been part of someone else's inspection? A. Yes.
3. Q. Who was responsible for the inspection of the Belt Dip on this particular night? A. Mr. Hughes.
4. Q. So Mr Hughes was the fireman responsible for the Belt Dip and the development face on the night of the occurrence? A. Yes sir.
5. Q. Would he make a statutory report?

THE CORONER: Well, I doubt if it rests with this witness to say that, Mr. Jenkins, really. Presumably, he would report would he not?

MR JENKINS: Did he, in fact, make any report that night when he took charge of that particular face? A. Yes, when he signed on that night.

THE CORONER: Well, does he know?

MR JENKINS: He should know, sir.

THE CORONER: You signed together and were working together in that particular respect that night? A. Yes sir.

6. Q. You would know he would automatically go up the Belt Dip, apart from signing about it afterwards? A. Yes.

MR JENKINS: When did you last see Hughes alive, Mr. Brough? A. At 11 p.m. on the 8th.

7. Q. Where did you see him at that particular moment? A. The last time I saw Hughes was at the loader end.
8. Q. Was that when you were proceeding in at the commencement of the shift? A. Yes sir.

THE CORONER: About 11 o'clock, was it? A. 11.p.m.

9. Q. So that when the reports were signed you were together with him when you signed? A. We signed the reports in the morning.
10. Q. That was to say that everything was all right for drawing?
A. Yes sir.

MR JENKINS: What facilities were provided in the district for fighting a fire? A. Water and stone dust and fire extinguishers.

11. Q. And were all these readily available? A. Yes sir.
12. Q. Before you left only stone dust had been used the fight the fire? A. Yes sir.
13. Q. Why was not water used immediately this outbreak was discovered?
A. Well, we were keeping the fire down with stone dust.
14. Q. You thought it was quite a good medium? A. Just to start, and then when I did not see Cooke and Hughes anywhere about I made a dash for them, but afterwards the water was coupled up.
15. Q. So the uppermost thought in your mind was the rescue of the two men who were unfortunately missing?

THE CORONER: Well, he is too modest to say that, but it is a reasonable assumption.

MR JENKINS: Thank you, Mr Brough,

THE CORONER: Just to clear up a minor question when you said that you and Mr Hughes had signed everything was in order for drawing, that would be on the previous morning, would it not? A. Yes sir, the previous morning for the afternoon shift.

1. Q. When you talk about 11 p.m. it was not long after you had been underground at the beginning of the shift? A. Yes, the afternoon firemen sign their report at night, and we sign ours in the morning.

THE CORONER: Would Mr Sumnall like to put any questions?

MR SUMNALL: No sir.

Examined by Mr Holdsworth:

2. Q. Mr Brough, you will not think me impertinent if I venture to congratulate you on what seems to have been a very gallant endeavour that night?

THE CORONER: You are taking a very unfair advantage of all of us, Mr Holdsworth. It is a very forgivable offence though.

MR HOLDSWORTH: Mr Brough, I want you to tell us, if you can, when your various pieces of equipment stopped working. First of all the face conveyor you had. Was that working, and did it stop working? A. The Level Belt had stopped.

3. Q. We will take the Level Belt. That had stopped when you were walking along the level with Baldwin? A. Yes, that had stopped when I got to it. The Level Belt was stopped. There was a chap looking after the Level Belt and when this belt stopped he had orders to turn on the compressed air when the face conveyor had stopped.

4. Q. So the compressed air was still running up to Poole's Face until the Main Level Belt stopped for some other reason? A. Yes

5. Q. And then you, or somebody, turned the air off? A. Yes, Pat McAteer.

6. Q. I do not know whether you can help us as to when the Main Level Belt stopped; do you know? If you do not know, you cannot tell us? A. I dare say I went down - I cannot give you the exact time when I went down the face five minutes after the face belt had stopped.

7. Q. Then you found the other had already stopped, and you did not know when? A. Yes.

8. Q. You had a cutter on the face, had you not? A. Yes.

9. Q. That is electrical is it? A. Yes.

10. Q. Did the power for that go off? A. We were not using the cutter

11. Q. You were not using it? A. No sir; we were coal drawing.

12. Q. Very well, you cannot help us much about that. I want to ask you a little about the supervision of the belt and the belt motors. Am I right, Mr Brough, you and Hughes on alternate rotas took responsibility? A. Yes sir.

13. Q. Now, on this particular night your responsibility was Poole's Top Heading - Poole's Face and the Main Level? A. Yes sir.

14. Q. The night before your responsibility had been the Belt Dip and Rowe's Heading and the Cross Belt, I suppose? A. Yes.

1. Q. You can tell us what the instructions were? What instructions did you have with regard to supervision of the Dip Belt and the Cross Belt? A. The supervision of the Dip Belt - if the Dip Belt was going when I went in at the beginning of the shift I stopped it. I went up here to Rowe's Heading (Witness indicated on the plan)
2. Q. I am sorry you have not quite got the question I was trying to put to you. Were there any instructions given by the management for regular supervision of the belt and the motor in the Dip Belt? If there were any instruction they would be passed to you, because on alternate shifts you were responsible. Now did you get any instructions, any special instructions, with regard to the supervision of the belt and the belt motor in the Dip Belt?
- THE CORONER: Did you know what your duties were regarding the belt?
A. We had orders to look after the belts.
- MR HOLDSWORTH: Yes, in a general way. But I dare say you will agree with me on belts of that kind coal dust is being accumulated?
A. Yes sir.
3. Q. Well now, did you have any instructions as to how that accumulation was to be dealt with? A. Yes.
4. Q. How often was the accumulation of dust removed? A. Well, it might be just according.
5. Q. That is what I thought? A. It might be every other night.
6. Q. Did you have any definite instructions from the management as to how often it was to be dealt with? A. Yes.
7. Q. And what were the instructions? A. Twice a week if there was any amount of dust.
8. Q. Yes, I see. That was the question I was trying to get at. You had definite instructions it was to be dealt with twice a week? A. Yes.
9. Q. Did they lay down which days? A. No.
10. Q. Then how did anybody know which shift, and which fireman had to see that that was done? A. Well, when we had a man available, it does not matter which shift it was, we had it cleaned up. It might be done on the day shift, or on the noon or nights.
11. Q. If you had a man available you got that done? A. Yes.
12. Q. Then there was no definite ruling it was to be done on Tuesdays or Fridays, or anything like that? A. No sir.
13. Q. Nor was it laid down as to which shift was to do it? A. No Sir.
14. Q. Mr Brough, please do not think I am attacking you or anybody, but it was left rather a little to chance was it not, as to which man and which shift did it? It depended on whether a man was available or not? A. No.
15. Q. I am sorry; that is what I understood you to say - when you had a man available it was done? A. When I had a man available on my shift, it was done.
16. Q. If you had not got a man available then it was not done? A. I left information for the noon shift fireman or the day shift fireman that it had not been done.

1. Q. The management had not given any express instructions it was to be done on any particular day or shift? A. No, sir. It was cleaned up when it was needed.
2. Q. When had you last, yourself, had a man available? A. The night afore.
3. Q. The very night before? A. Yes sir.
4. Q. And you put a man, did you, on to that job? A. Yes, he was looking after the belt and the Belt Dip.
5. Q. You do not, I suppose, know exactly what he did? You did not stand over him, did you? A. No sir.
6. Q. You would not know then? Did you, personally, - again Mr Brough, do not think I am attacking you - did you personally find time to check that chap's work after he was supposed to have done it? A. Yes sir. I checked it up the last thing in the morning when I was coming off.
7. Q. What happened after that you do not know, because, I suppose, the belt would be used on the day shift and more dust would accumulate? A. Yes sir.
8. Q. As a matter of fact, that would be the responsibility of the fireman for that shift? A. Yes sir.
9. Q. Very well; that is that. Now, you were sending coal down your conveyors, were you not, on that shift? A. Yes.
10. Q. Have you any idea how much you had sent down during that shift up to the time the power went off? A. I cannot exactly tell you the weight, but we sent 41 loads of coal.
11. Q. Fortyone loads? A. Yes.
12. Q. Yes, I see. And then the power went off, and you could send no more? A. No sir.
13. Q. You do not know when you sent the last load down, do you? A. No. I cannot give you the time for that.
14. Q. No. About how long was it before Mr Baldwin turned up? A. It would be about a quarter of an hour. The men were drawing the coal on the conveyors all the time. The coal was going on the conveyors all the time until the belt stopped when they turned the wind off.
15. Q. Yes, I see. Very well. I want to come down with you through the bottom of the Belt Dip to look in to the door when you looked at the fire. It was a real blaze? You said the cables were blazing - were on fire? A. Yes sir.
16. Q. Were they still hanging to the roof? A. Yes.
17. Q. As far as you could see there had not been a fall to tear the cables from their normal place of hanging? A. No sir.
18. Q. What time, Mr Brough, was it when you were able to tell Mr Farr? Did you notice the time? A. No sir; I did not notice.
19. Q. And one other question, so that we can get it clear. There was a water supply for fire fighting? A. Yes sir.
20. Q. Was it pipes, or was it in tanks? A. It was piped.

1. Q. Where was the water head? A. The water head was there.
(Witness indicated on the plan).

THE CORONER: In the crut .

MR HOLDSWORTH: At that junction? A. Yes sir.

2. Q. How did you get the water from there up to the Belt Dip? A. By pump.

3. Q. Pump and hose? A. Yes sir.

THE CORONER: On all shifts and each shift was everything subject to the fireman's judgment for the time being? A. Yes sir.

4. Q. Chiefly, the fireman was in charge of the Belt Dip and the Cross Dip and would satisfy himself that any loose dust and coal was to be cleaned up as and when necessary? A. Yes sir.

5. Q. He would give orders accordingly. And from his knowledge of the men he was dealing with, he would be reasonably satisfied whether the work had been properly done, after he had given the order or not? A. Yes.

6. Q. In other words, you would give the instructions if you were dealing with it to a reliable man, and you would feel quite certain he would carry out what you had explained you wanted him to do? A. Yes.

Examined by Mr Sunderland

7. Q. And that was a standing instruction to firemen, Mr Brough, was it? A. Yes sir.

8. Q. And, as far as you know, it was carried out? A. Yes.

9. Q. Mr Hughes was the fireman, was he not? A. Yes sir.

10. Q. He was also the fireman whose duty it was to inspect the belting? A. Yes.

11. Q. As far as you know there was nothing the matter with this belting? A. No.

12. Q. As far as you know that belting was in order? A. Yes.

A JURYMAN: Can you tell us the physical state of Mr Baldwin when you met him?

THE CORONER: I am afraid that has nothing to do with the cause of death of these men. That is quite irrelevant as regards ascertaining the cause of death, which is what I want to get at.

A JURYMAN: Could we know the range of the beam from the cap lamp?
A. I should say from 30 to 40 yards.

A JURYMAN: 30 to 40 yards in front of you, you would be able to see that cloud of smoke coming? A. Yes.

(Adjourned for A Short Time)

THE CORONER: Well, the next witness is Patrick McAteer. In view of what I believe to be Mr Jenkin's opinion, and I will just ask him now, I think we may cut some of the witnesses out now. Mr Jenkins, the affected area has been sealed off. As we all know. Does that mean that any research into the cause of the fire, which apparently created this situation - does that

mean that anything said here now would be mere speculation?

MR JENKINS: Mere speculation, sir.

THE CORONER: Yes, and I am influenced in not dealing with it by the consideration that the unsealing of the affected area may be effected at a not very remote date.

MR JENKINS: That is true, sir.

THE CORONER: Again, I am going to ask - there is no objection to my taking the witness and any others through the statements which they previously had set down?

COUNSEL: No, sir.

PATRICK MCATEER, Duly Sworn
Examined by the Coroner.

1. Q. Your name is Patrick McAteer, is it? A. Yes sir.
2. Q. Are you employed at the Chatterley Whitfield Unit? A. Yes sir.
3. Q. And were you working in the Hesketh Pit last December? A. Yes sir.
4. Q. Were you a pan driver and scraper driver? A. Yes sir.
5. Q. At the bottom of the face which is shown on that map? A. Yes sir.
6. Q. That was your position and that is where you were working?
A. Yes sir.
7. Q. And was your job to control the compressed air valve, which has been alluded to, at the bottom of that face, in order to regulate both the shaker and the scraper? A. Yes sir.
8. Q. At about two o'clock on the morning of December 9th last, did the pans stop? A. Yes, on their own.
9. Q. Did you stop them? A. No, your Honour.
10. Q. And shortly after the shaker pans had stopped did you notice the Main Level Belt? A. The Main Level Belt stopped.
11. Q. Just shortly after that did Mr Brough, the last witness, come down the face? A. Yes, your Honour.
12. Q. And did he ask you why the conveyors had stopped? A. Yes, your Honour.
13. Q. And did you tell him you did not know and that you had not stopped them? A. Yes, your Honour.
14. Q. Did fireman Brough then go to the shaker conveyor and re-start it, or try to re-start it? A. He re-started it, your Honour.
15. Q. Did he re-start it, but the gate belt was still standing?
A. Yes sir.
16. Q. Mr Brough then went to the shaker conveyor and re-started it, but the gate belt, the Main Level belt, was still standing?
A. Yes sir.
17. Q. Now then, did Mr Brough go to the telephone to ask why it was not revolving? A. Yes, your Honour, he went to the telephone.
18. Q. What did you do? A. I stopped at my post.
19. Q. Was that at the tail end of the gate belt? A. Yes sir.

1. Q. Now, while Mr Brough was on his way to the phone, or had got to the phone, did Mr Baldwin, the man you know to be Mr Baldwin, come down the face? A. Yes, he came down to the point where I was and asked where the fireman was. I asked him what was wrong, but he did not reply and then asked me where the fireman was.
2. Q. Did you tell him that the fireman was on the phone? A. At the telephone.
3. Q. You saw Baldwin go the Fireman Brough? A. Yes, your Honour.
4. Q. In fact, as the belt was still, did you hear the word "fire" mentioned by one or other of them? A. I think it was the fireman, Bill Brough, that mentioned fire.
5. Q. After that did both of them run down the Main Level towards the bottom of the Belt Dip, or in that direction? A. Yes your Honour.
6. Q. You, as before ---? A. Stood at my post.
7. Q. And some 10 minutes or so later - well now, this puts Mr Baldwin in a better light; he may have forgotten this - some 10 minutes later did Baldwin come back to you and say that the fireman had sent instructions for you to go up to the face to bring off all the men, including the top head rippers? A. Yes, your Honour.
8. Q. So Mr Baldwin was the man who come -- ? A. And told me to fetch all the men off the face.
9. Q. And then he went back again? A. I went up the face.
10. Q. I suppose you did not bother where he went? A. No.
11. Q. And did Baldwin also tell you that they must come off the face down to the Main Level, and that they were not to try to go out by the return - by the Heading? A. Yes, your Honour.
12. Q. Now, when you were going up did you meet Ellis Boote? A. I met Ellis Boote.
13. Q. Did you tell him and ask him to pass the message on to the other men above him? A. Yes, that is right.
14. Q. And, incidentally, was that the best way of doing it, because of the low level of the roof? A. Yes, it was a very small place.
15. Q. In other words, instead of you trying to crush past everyone you warned the other men - passed it on more quickly than you otherwise would have done? A. Yes, your Honour.
16. Q. Now, you satisfied yourself, and saw yourself, that Boote went up and issued to the men above him the instructions to come off the face? A. Yes, your Honour.
17. Q. And did you, in fact, stay on the face, above your rightful post, until you saw yourself that all the men had received instructions and that they were all beginning to come down towards the bottom? A. Yes, your Honour.
18. Q. When you got to the bottom of the face did you see Brough. A. I saw the fireman, Bill Brough.
19. Q. And did you notice that he was covered with stone dust? A. Yes, your Honour.
20. Q. And was he alone? A. He was alone.

1. Q. Did he say anything to you as he went past - rushed towards the face? A. That he had got to get Mr Hughes and Mr Cooke; at all costs he had got to get them out.
2. Q. He said : " I must get Hughes and Cooke out at all costs," and probably he said Shearer as well? A. Mr Hughes, the Fireman, and Mr. Cooke.
3. Q. Richard Hughes and Mr Cooke? A. Yes.
4. Q. He just said that in explanation? You saw that he was going in that direction? A. That is right.
5. Q. Now, meanwhile, the men were arriving off the face? A. Yes, your Honour.
6. Q. And Mr Brough dashed in, passing them on the way and crawling along? A. Well, I think all the men, by the time he got there, would be out at this end.
7. Q. In any case, Mr Brough disappeared to go, as he says, to recover Hughes and Cooke at all costs? A. Yes sir.
8. Q. Now, when you had checked up that the other men had arrived off the face did you go outbye with them as far as the Belt Dip? A. Yes.
9. Q. For sometime did you assist loading stone dust into waggons at the loader end? A. Along here. (Witness indicated on the plan).
10. Q. They transferred them to where the fire was? A. That is right.
11. Q. After you had been doing that for a while did Baldwin approach you? A. I saw Mr Baldwin here. (Witness indicated on the plan).
12. Q. Baldwin was there? A. Yes, your Honour.
13. Q. Did he say anything to you? A. He asked me was I coming out?
14. Q. Did he not put it this way: "I am going out"? A. Yes.
15. Q. And did he say: "Are you coming"? A. Yes, your Honour.
16. Q. And from that did you gather it would be all right if you went out with him? A. Yes, your Honour.
17. Q. And on the way out did he make a remark to you about the possibility of danger? A. It has just struck me the last word he spoke to me was, was I going out with him? At this point he mentioned to me about there might be an explosion.
18. Q. Did he say anything about himself having come through smoke?
A. Yes, your Honour.
19. Q. Did he make any reference to Hughes and Cooke? A. Well, as he was going out he said he now realised he should have got Hughes and Cooke out.

MR JENKINS: No questions.

MR SUMNALL: No questions.

Examined by Mr Holdsworth:

20. Q. Mr Monteer, you said the shakers stopped and Mr Brough started them up again? A. Yes.
21. Q. Then air must have come back? A. I do not know anything about machinery.

THE CORONER: Can you explain, Mr Brough, why, after the pressure had gone, you were able to start up again?

MR BROUGH: Well sir, the pressure was not gone.

THE CORONER: What had stopped it in the first place? Do you think the pressure had altered for a moment and then come back again?

MR BROUGH: No sir.

THE CORONER: I thought you said the pressure was on?

MR BROUGH: Yes, the pressure was on.

THE CORONER: Does it come from the same source as the piping up to Rowe's Heading? A. No, sir. The Rowe's Heading pipes go up the Belt Dip, and the pipes for driving the conveyors on the face go the other way.

THE CORONER: It is clear now as a fact that the pans stopped immediately and yet Baldwin was able to start them again. How did you start them?

MR BROUGH: We started them from the wind at the bottom.

THE CORONER: Yes, but it had been shut off.

MR BROUGH: Yes.

THE CORONER: You shut it off, did you?

THE WITNESS: No, I did not touch this lot at all.

MR HOLDSWORTH: I was going to ask him - as far as you are concerned, the shaker stopped of its own accord? That is as far as you are concerned? A. Yes.

THE CORONER: And the valve was open? A. Yes.

1. Q. That made you wonder? You thought: "Hello, why has this stopped? A. Yes. The valve was full open, and I did not know what to do then.
2. Q. In another sense you would be wondering: "Hello why has the wind gone?? A. Yes, up to a point. While I had the valve full open it stopped.
3. Q. You did not think you might have turned it off? A. I am sure, your Honour.
4. Q. Because you see, Mr Brough was there very shortly afterwards? A. Yes, that is why he come to me.
5. Q. Yes, quite. He assumed you had closed the valve? A. Yes.
6. Q. Which is just what he would assume? A. Yes.
7. Q. I was wondering when the main belt was idle why you did not automatically turn it off? It would have been the proper thing to do would it not? A. When this belt stopped I had to shut off; otherwise, you clog up the coal coming up on the scraper.
8. Q. Would it be the action of the belt stopping that would stop the shaker? No, the shakers had stopped, but the belt was going. The fireman came up and asked me what was wrong. He asked me why the scrapers were not going. Whatever he did to them, I do not know; but he got them going. Then the belt stopped.

1. Q. May I put it this way, Mr Holdsworth, there was nobody else about except you and Mr Brough? A. I was in charge of the shakers.
2. Q. You see, Mr Brough is very positive that the throttle had been closed when he went to it - to the valve, That is what you say?

MR BROUGH: Yes sir.

THE CORONER: It would have been the proper thing for you to do - to close it? A. Yes, but it had stopped right up to when the fireman came to me.

3. Q. Supposing the pan stopped, quite apart from the belt, it would have been a proper thing to have stopped the belt? It would have been a sensible thing to do? A. It depends when coal was coming.
4. Q. The pans had stopped for no apparent reason. There must have been a cause for the pans to stop. Therefore, I am suggesting to you, you may have shut off the valve automatically, and if you did so it would have been a very wise thing for you to have done, and that would account for the difficulty which two good witnesses are putting the Jury in at the moment by what appears to be a contradiction? You see, Mr Brough here says when he got to the valve he found it had been shut off. It is possible is it not, if the pans stopped - you were by the valves, were you not when Brough got to you? A. Yes sir.
5. Q. It is possible you might just have done it even when you saw him come down to see what was the matter? A. No, your Honour. I am a trainee. He left me orders to turn on and he started the machine for me, but he gave me orders when the belt stopped to turn the valve off.
6. Q. What is the height of your valve? Is it a lever? A. It is only a little circular one. You cannot just push it on and it goes off on its own.
7. Q. There is no question it could go off accidentally? A. No sir. It is wheel-controlled.
8. Q. In other words it is a wheel - a spinning wheel? A. Yes sir.

MR HOLDSWORTH: It looks like remaining a mystery.

THE CORONER: What I am trying to explain to Mr McAteer, who is obviously a very excellent trainee miner, is that if he did automatically, and then does not remember it now and obviously does not think he did - it is quite likely he did turn it off, and it would have been a very wise thing for him to do, but he is going to have his own way? A. There is another valve which gives some pressure on the scraper pan about here. Whether that may have affected it or not, I do not know. It may be the fireman may have turned this valve here to put on more pressure.

THE CORONER: That explains it, does it not, Mr. Brough?

MR BROUGH: I do not quite get it.

THE CORONER: There are two valves, he says.

MR BROUGH: Yes, there are two valves.

THE CORONER: So, if he went to one and it was shut off, it might have been the auxiliary one. I think that explains it. I think that is all right, Mr Holdsworth.

MR HOLDSWORTH: It may be so. The two valves are close together?

MR BROUGH: Yes, one valve is at the bottom and the other 20 yards away.

THE CORONER: They are reasonably close to be operated by one man, as and when necessary? A. Yes.

1. Q. The one valve would be open all the time. Can you tell us whether it was the other you opened? A. I could not tell you exactly which one.
2. Q. This was an emergency, was it not? A. Yes sir.
3. Q. And you were pressing a lot of work into a few seconds? A. Yes.

THE CORONER: Well, I think this has cleared it up. There were two valves and Mr McAteer is right as regards one being open, the master one; and Mr Brough is not going to deny that the other was an auxiliary one and he was able to get a little extra pressure that means. It also explains why, at any rate for **the moment**, the pans started to work again.

I will call Charles Elliott Hollinshead next, just to clear up that everything was in order at the end of the previous shift.

CHARLES ELLIOTT HOLLINSHEAD, Duly Sworn:

Examined by the Coroner.

4. Q. You were the last known person to have seen Percy Shearer?
A. Yes.
5. Q. You had better have a look at that plan and recognise it?
A. Yes, sir.

MR JENKINS: That plan is not relevant to this witness.

THE CORONER: Quite. Can you tell us where you last saw him?

MR JENKINS: The plan is of no further use to this witness.

THE CORONER: No. Now Charles Elliott Hollinshead, you are a fireman at the Chatterley Whitfield Unit? A. Yes sir.

6. Q. You live at 3, Bank Street, Rookery? A. Yes.
7. Q. At about five minutes past 10 on December 8th last did you go down the Institute Pit, which is your place of work? A. Yes.
8. Q. And when you were at the top of the main dip did you see Percy Shearer? A. Yes.
9. Q. I think he has a second Christian name, but you gave him as Percy Shearer. Was he a maintenance hand, a pulley oiler?
A. Yes.
10. Q. Before that you had examined his lamp on the pit bank? A. Yes.
11. Q. I do not know whether you went down together? A. No.
12. Q. When you saw him in the main dip did it occur to you there was a new pulley wanted? A. Yes.
13. Q. You told him when you saw him in the main dip? A. Yes.
14. Q. Did you give him instructions to put a new pulley in the Bambury Main Dip? A. Yes.

1. Q. A few minutes after that, while you were still in the district, did you see Mr Shearer collecting his tools? A. Yes.
2. Q. And evidently preparing to go up and carry out the work you told him to do? A. Yes.
3. Q. Did you then leave him and go down the back dip on another errand of inspection? A. Yes.
4. Q. Now, you did not see Mr Shearer after that time? A. No.
5. Q. And do you think anybody else would? A. No, I do not think so.
6. Q. In other words, for most of his jobs he would be independent and working alone? A. That is right. He would be on the move from the tip of the dip all the time.

THE CORONER: Quite, yes. I suppose there are no questions of this witness?

COUNSEL; No sir.

AMOS HOLDCROFT, Duly Sworn.

Examined by the Coroner.

7. Q. Will you just have a look at this plan? (Handed to witness). This is a plan, and I think the Jury had better see it afterwards, and will you see if you recognise the layout of the pit bottom when you are getting near your workings?
A. Yes sir.
8. Q. Now, you recognise this plan and you agree with it? A. Yes.
9. Q. You are Amos Holdcroft, and you are an underground overman, Mr Holdcroft? A. Yes sir.
10. Q. Of 133, High Street, Harriseahead? A. Yes sir.
11. Q. At about 9 o'clock on the 11th of December last, in company with three other men, did you go down the Institute Pit at the Chatterley Whitfield Unit Colliery? A. Yes sir.
12. Q. Under instructions from Mr Wilcox, the Sub Area Agent? A. Yes.
13. Q. To see if you could locate the body of Mr Percy Shearer?
A. Yes sir.
14. Q. Did you go inbye along the Bambury Crut? A. Along the Bambury Main Crut.
15. Q. My friend Mr Scott tells me the name is Bambury, but it is certainly known locally as Banbury. You went along the Banbury Main Crut shown on the map and then you went down the Bambury Dip? A. Yes sir.
16. Q. Now did you and the men with you get as far as Number 3 Junction? A. Yes sir.
17. Q. By that time, of course, the atmosphere was clear and there was nothing to hinder you? A. There was nothing to hinder our progress in travelling, sir.
18. Q. Did you there find, as shown on the large scale portion of this plan, the body of Percy Shearer? A. Yes sir.
19. Q. He was lying face downwards by the side of a telephone, just as shown on the plan? A. Yes sir.

1. Q. And, for what it is worth, did it look as if he had been making for the telephone at the time he was overcome? A. It looked to me as if he had been using the telephone at the time he was overcome. The receiver was still on the hook, and as soon as I found him I telephoned to the bank.

THE CORONER: I do not think there is any record of anybody getting a message.

MR SUNDERLAND No.

THE CORONER: You could see that he was dead? You had him placed on a stretcher and brought up to the surface? A. Yes sir.

2. Q. Where he was placed in the ambulance room? A. Yes.

THE CORONER: I think you might shorten the evidence and tell us perhaps if you could say this. The place in which he was working was a road with a railway on one side? A. There were two roads - one was the loading side and one the emptying side.

3. Q. There are two sets of metals, are there? A. Yes sir.

4. Q. Are there two sets of metals separated by a rather sunken way, where men can walk between them? A. No, it is level, sir.

5. Q. Is it absolutely level all the way? A. Yes sir, except for being on the incline, it is level.

6. Q. At any rate, at the point he was lying he was getting into that level going off to the north? A. Number 3 north. Yes sir. The entrance to Number 3 North District.

7. Q. He was actually lying more or less on the points? A. Yes, on the points.

8. Q. Now, from hearsay, you have probably heard that repeated efforts had been made before to find Mr Shearer? A. Yes sir.

9. Q. And that rescue parties had gone along between the rails to try to see if he was in this particular part? A. Yes sir.

10. Q. Assuming the whole of the visibility had been blocked by smoke and they were under the handicap of wearing respirators and so on, obviously they would walk between the rails and not on the side? A. No, they would walk in between the rails.

11. Q. They would have to go in between; otherwise, they would be risking serious falls? A. Yes, and running into obstructions.

12. Q. So you had really heard that rescue parties had been up and down there and made extensive and really very brave searches for him, without being able to find him? A. Yes sir.

13. Q. Do you think it quite likely that you and your men would not have been able to find him but for the fact the ventilation by that time had re-asserted itself and the smoke had been sealed off? A. That is correct, sir.

COUNSEL: No questions.

THE CORONER: Mr Jenkins, you have been through all these proofs, have you?

MR JENKINS: Yes sir.

THE CORONER: I thought it might shorten the proceedings if I called first Mr Hay to complete his evidence - he has made a short, concise statement - and then Mr Cope. Are there any other witnesses, whom you think, in the circumstances, it would be

of advantage to have called?

MR JENKINS: I do not think so, sir.

THE CORONER: You are satisfied?

MR JENKINS: I am perfectly satisfied, as far as we can go with the evidence we have received, this is as far as we can go.

THE CORONER: I think we might have Mr. Charles Taylor, the overman.

MR JENKINS: I do not think he can tell us anything other than Mr. Hay and the others, if you are calling Mr Hay, the manager.

THE CORONER: I think we will call Mr Taylor, because he links up with Mr Hay. He was there early enough to meet the men bringing Mr Brough. First of all, Mr Charles Taylor, the overman; then Mr Hay; and after him, Mr Cope. I want to know from Mr Holdsworth whether he is satisfied.

MR HOLDSWORTH: Sir, when we see how we get along with the manager. There is certain electrical information, which it might be desirable to bring out.

THE CORONER: I have got that in detail.

MR HOLDSWORTH: Maybe Mr Hay can deal with it, or maybe it is necessary to call some electrician.

THE CORONER: I think I had better call Mr Swinscoe, whose evidence is in about six lines, and call him after this witness, because he can say he was in charge of the Main and "Back Hesketh Cruts. on the afternoon of the 8th, and he was up at this Poole's Heading at 6.15.p.m., and he can speak to this and everything being in order at the time, particularly in view of the questions which have properly been put in view of the possibility of dust on the pans and belts.

CHARLES TAYLOR, Duly Sworn:

Examined by the Coroner.

1. Q. Are you Mr Charles Taylor, an overman? A. Yes sir.
2. Q. For this district and on this shift? A. Yes sir.
3. Q. And at about half past two, I think it was, on the 9th of December last, were you in the Bullhurst at Number 8 Junction when you got a phone message saying that the Old Whitfield Belt Dip was on fire? A. Yes sir.
4. Q. Did you go there immediately? A. Yes sir.
5. Q. About 150 yards outbye, up along the Main Crut there, did you meet some men carrying a stretcher taking Mr Brough out? A. Yes.
6. Q. And was he obviously exhausted? A. Yes sir.
7. Q. But was he able to tell you that the Old Whitfield Dip, in his own words, was "all ablaze"? A. Yes sir.
8. Q. And that two men - I do not know whether he mentioned the two men Hughes and Cooke - were fast in the top end and it was impossible to get to them for the smoke and fumes? A. Ye sir.

1. Q. Did you take two of the men, who were the stretcher party, back with you to the bottom of the Belt Dip? A. Yes sir.
2. Q. Leaving a couple to take Mr Brough out? A. Yes sir.
3. Q. And, knowing what you were up against, did you each carry a bag of stone dust you obtained from the Belt End dump just below here? (The Coroner indicated on the plan). A. Yes sir.
4. Q. You had better show the Jury where the dump was? A. At the belt end here. (Witness indicated on the plan).
5. Q. That was at the Main Crut Belt End? A. Yes sir,
6. Q. To the Main Level Belt End? A. Yes sir.
7. Q. And you would have to take them as far as the Belt Dip which goes off the Main Level? A. Yes sir.
8. Q. Now, arriving there, did you open the Belt Dip door to satisfy yourself as to what was going on inside? A. Yes sir.
9. Q. What did you find? A. I found all the belting one mass of flames.
10. Q. Everything was on fire? A. Yes.
11. Q. All you could see was one solid sheet of flame? A. Well, everything was burning that could burn.
12. Q. Yes, everything, and, actually, did you notice your action in opening the door and looking through, short circuited the fresh air to the fire, which would suck it in a draught and increase it at once? A. Yes.
13. Q. Now, did you shut the door and go outbye, and then did you open the Old Timber Dip door? A. Yes sir.
14. Q. And why did you do that? A. To take the ventilation off this fire and short circuit it.
15. Q. Having done that, did you set some men on to clear the waggon road from the Loader End to the Belt Dip, so that you could get waggons up as far as the Belt Dip and so get more stone dust? A. Yes sir, and to safeguard the area.
16. Q. Did you and you men then, for quite a time, do what you could to extinguish the fire with stone dust? A. Yes, we did what we could, for about an hour and twenty minutes.
17. Q. Actually, did you soon discover that you were making no progress? A. Yes sir.
18. Q. And in view of that, and in spite of what you had done to check the draught, did you find that the suction took in air, and every time you threw the dust on and tried to subdue the flames the fire increased because of sucking through air out of the Main Level? A. Yes sir.
19. Q. Now, did you decide, while you were there alone and in charge, the only thing you could do was to build a bagged wall of stone dust there, so as to exclude the air and therefore subdue the fire? A. Yes.
20. Q. Well knowing at the back of your mind the risk of a fire in a colliery which had 239 men in it? A. To stop the fire from spreading, sir.

1. Q. Were you about to do that when Mr Carp, another overman, arrived, and did you confer with him hastily, and have one more shot at seeing if you could put as much stone dust as you could on the fire? A. Yes.
2. Q. And after a very little time did you conclude nothing could be done but to build a bagged stopping just below the Belt Dip door? A. Yes sir.
3. Q. Did you proceed with the work, all of you, as hard as you could, and as fast as you could? A. Yes sir.
4. Q. And when it was partly completed did Mr Hay arrive, and over this obstruction did he go and have a look and see for himself, and did you decide to make one more effort? A. Yes sir.
5. Q. A combined operation with stone dust, fire extinguishers, and what water there was coming up? A. There was water there, sir.
6. Q. For a little time this attack made some progress, did it not?
A. Yes sir.
7. Q. And what was the complication which then ensued? A. Smoke again coming ~~down~~ this Timber Dip..
8. Q. In other words, you were getting a curtain of smoke? A. Yes.
9. Q. As long as the doors were open it was increasing the suction on that smoke? A. It did not make much difference. It was coming in this way with the intake ventilation (Witness indicated on the plan).
10. Q. It was only coming in at that point, was it? A. Yes sir.
11. Q. It joined the intake current, and did it very quickly compel the lot of you to withdraw from that part of the pit? A. Yes.
12. Q. You left the water hose still playing on the fire? A. Yes sir.
13. Q., Was the next step in the attack to put a bagged stopping in the Old Timber Dip to stop the smoke from exuding and to stop any further fumes? A. Yes sir.
14. Q. When you got there could you see what was coming down the Old Timber Dip? A. There was nothing coming down when I got there. This was afterwards.
15. Q. Progress was made with the bagged stopping? A. Yes sir.
16. Q. Presently, did such a vast and strong concentration of smoke come down the Old Timber Dip towards you that you all put on smoke helmets, and the only way you could carry on was by working for a bit, going outside to try and get fresh air, and coming back? A. Yes sir.
17. Q. And that stopping was eventually completed by you by working as hard as you could? A. Yes sir.
18. Q. And then, after that, did you all go up to the Belt Dip again and try to fight the fire with water there, and make sure water was getting on, in order to try to have some affect on what was apparently the source of the fire? A. Yes sir.
19. Q. In doing that you were taking the uncomfortable risk of proceeding through one door, shutting it, and working through the other door? A. Yes.

1. Q. And did you, and the other people that were with you, continue doing that until you were relieved by the day shift men, and you were ordered to leave the pit? A. Yes sir.

Examined by Mr Jenkins.

2. Q1 Were you acquainted with the fire fighting arrangements for this particular district? A. Yes sir.
3. Q. Can you tell me why water was not applied to this fire before the manager had arrived? almost an hour to an hour and a quarter later? A. Well sir: I had been there a while and my idea was to put the stone dust on to stop the fire from spreading.
4. Q. Did you think stone dust was better than water? A. Well, that was my first thought.
5. Q. Do you know who ordered the water to be put on from the crut? A. No sir. There was no order. It was the natural thing to do.
6. Q. Do you know who did it? Was the water rolled up to the Dip when you got there? A. No.
7. Q. In other words, you and some others spontaneously went for the water after using the stone dust, which was nearer to you, and which when put in proved not altogether effective? A. Yes.

MR JENKINS: Mr Coroner, I think you will find, sir, that Mr Hay will be able to say that no water was put on at that particular time.

THE CORONER: Yes, I know. I will just interpose here Samuel Swinscoe after any questions have been put to Mr Taylor, so as to clear up the condition at the end of the previous shift. I understand everything was in order.

MR HOLDSWORTH: No questions.

MR SUMNALL: No questions.

SAMUEL SWINSCOE, Duly Sworn.

Examined by the Coroner.

8. Q. I think, Mr Swinscoe, you had better do what the others have done. It seems a good practice to come and stand by the plan. Are you Mr Samuel Swinscoe? A fireman in the Hesketh Pit? A. The Hesketh Pit.
9. Q. And is the Chatterley District, which I think you recognise there - the Old Whitfield District, I should say - is that in your jurisdiction? A. Yes. That part is not in mine. (Witness indicated on the plan).
10. Q. In other words, the area affected more directly by this fire was the area you inspected yourself the last thing at the conclusion of the previous shift? A. On the Wednesday afternoon.
11. Q. The 8th of December? A. That is right.
12. Q. Now, you were in charge of the Main and Back Hesketh Cruts on the afternoon shift of the 8th of December last? A. Yes.
13. Q. You were up the new heading at what time? A. I landed at the new heading at about a quarter to three.

1. Q. But you went up there about 6.15.p.m. did you not? A. That was later on.
2. Q. I mean the last thing? A. Oh, I was up there about 6.15. Then I come round round here. (Witness indicated on the plan). Round up to the top and down this carving and shouted to the men that were up the dip.
3. Q. I think the gentlemen in this room will be interested for you to tell them what the carving was like at the time. Did you make your way through, or did you shout? A. No, I had just knocked a road through.
4. Q. To make sure that the men working in that heading, Hughes and Cooke, would be ready for the next shift? A. Yes sir.
5. Q. You knew, as a fact, it was ready for the next shift? A. Yes.
6. Q. Before, the men in there under your general control had been drilling to knock a way through? A. Well, knock a wind road through.
7. Q. As you imply, it was not yet a travelling road at the time you saw it? A. No sir.
8. Q. But it had wind through to the old working? A. Yes.
9. Q. After that did you go to the continuation of the Belt Dip to go down to the old face? A. No. I come down the Belt Dip, but I did not go along the old face to the Old Whitfield face.
10. Q. It says here - I do not know who took this statement; Mr Hay may elaborate this - "Later, I went up the continuation of the Belt Dip". A. This is the continuation of the Belt Dip. (Witness indicated on the plan).
11. Q. ".... and got down the old face to the line of the new heading face"? A. Yes, this is down here. (Witness indicated on the plan)
12. Q. So this little bit should come in first, should it not? A. Yes.
13. Q. I do not know who put the word, "later", in. Would it be after 6.15. I think I have got it right? You went up the heading for the first time at 3.15.? A. Yes.
14. Q. Was that the time you first noticed that the wind road had been taken through? A. No.
15. Q. If I cross this word, "later," out, your statement will be simple and correct, will it not? because you did not go up there and then go up there agin; you only went up there once at 6.15? A. I went up here to fire, come down again to the bottom, and then went up again and fired again.
16. Q. So it would be correct, would it not, if I said: "After shot firing, I went up the continuation of the Belt Dip"? A. Yes.
17. Q. Now we have got it. "....and got down the old face, to the line of the new heading face. I called to the meh, and they replied". That is really repeating what you have already said before? A. Yes.
18. Q. Now, is one of your chief duties to satisfy yourself as you go round that there is no gas in any of the areas? A. That is right.

1. Q. Have you got anything to say whether or not you suspected any gas in that area? A. We have had gas in this area from here round to here to the top. (Witness indicated on the plan). That is why I went round to inspect.
2. Q. Quite. That is why you were specially careful to see whether there was any gas there at the time you went up? A. That is right, sir.
3. Q. That is why, too, you were very anxious to see how the wind hold had got on? A. When we had knocked the hole in I went round to see whether the wind had shifted the gas, and if had done.
4. Q. So there was no gas anywhere in the area? A. None in that area whatever.
5. Q. And then you left the area at half past seven, and while you were coming outbye did you examine the Belt Dip? A. I examined the Belt Dip.
6. Q. You came down the Belt Dip? A. I came ^{down} the Belt Dip, yes.
7. Q. When you got to the bottom did you see the motor and the gear head? A. I saw the motor and the gear head.
8. Q. You satisfied yourself everything was in order? A. Yes.
9. Q. Has it always previously been in order? A. There has never been anything wrong.
10. Q. Have you had any trouble with heating at any time? A. No.
11. Q. Did you make sure there was no sign of heating of the belting?
A. Yes.
- 12., Q. The belting had been working on your shift? A. Yes.
13. Q. If at any time during the shift there had been overheating, it is likely you would have detected it? A. That is right.
14. Q. Referring to the important question put by Mr Holdsworth about any small accumulation of coal dust - any accumulation of dust on pans, belts and so on, did you make sure there was nothing out of the ordinary there? A. Yes. This belt which is up here is capable of drawing one thousand tons a shift, whereas we were only drawing about seven hundred to eight hundred tons. I mean with eight loads there would be very little dust accumulated.
15. Q. In spite of that, you realise there would be coal dust accumulating? A. There would?be? It is almost impossible for any to fall off the belt. There was only a slight trickle off the belt we were drawing.
16. Q. Having regard to what Mr Holdsworth has said about that important point, you tell the gentlemen of the Jury, do you, that as you came down the Belt Dip, and even in the Cross Belt Dip there, too, there was no accumulation of coal dust on the belt? A. There was no accumulation of dust anywhere, because in this Dip Belt about two months earlier we took about two feet up and cleared under the bottom of the belt and replaced the belt. Therefore, there would not be anything wrong about the belt; very little..
17. Q. All that Belt Dip was properly stone dusted, was it? A. Properly stone dusted, yes.

Examined by Mr Jenkins.

1. Q. How many men were working on your shift? A. Only two.

THE CORONER: Do you mean at Rowe's Heading?

MR JENKINS: Yes.

THE WITNESS: Only two.

MR JENKINS: Had the belts been working during the preceding shift?
A. On the day shift.

2. Q. On the afternoon shift and your one? A. Yes, they had been running, yes. We had filled nine loads of coal.

3. Q. Had the belts been running throughout the shift? A. No, when I fired the first shots I used to come down to start the belts and stop at the bottom until so much run off; until the coal give over coming.

4. Q. So on your shift the belts were only working for comparatively a short period of time? A. Yes.

THE CORONER: Would there be less risk of them motor at the bottom over heating if it was only running intermittently, as required, and not running all the time? A. Oh no. If it is running regularly it should not overheat, but if you are switching on and off it is liable to get warm.

5. Q. That is doing it quickly, is it not? A. Yes.

6. Q. We have heard on the shift after yours those two belts and the conveyor at the top were in action for two hours, more or less, before any substance was put on them? A. I could not say that.

7. Q. I know you could not say that. I was wondering if there was a greater likelihood -- you are not speaking as an electrician -- but would there be any greater likelihood for an untended electric motor to overheat when it was not loaded than when it was loaded? A. I do not think if it was loaded for a week it would be overheated. It is designed for that type of work.

8. Q. They are obviously designed to work in a hot atmosphere with heavy loads for long periods? A. Yes sir.

Examined by Mr Holdsworth:

9. Q. Mr Swinscoe, you have just told us, I think, that shortly before you came off duty you walked down the Belt Dip and looked at the belt and the motor? A. Yes sir.

10. Q. It is one thing to look at a motor and a belt, and it is another thing to clean it out. Just tell the Coroner and the Jury what you did when you looked at the motor and the belt? A. I only just examined the motor and felt all round.

11. Q. Just the motor? A. Yes, and the gears.

12. Q. Do you mean the rollers? A. I felt all round.

13. Q. Where the belt turns round and comes back again? A. Yes.

14. Q. You examined all that, did you? A. Yes.

15. Q. It was not warm? A. No.

1. Q. How long had it been turned off? A. I should say somewhere about half an hour or three-quarters.
2. Q. Can you tell us, Mr Swinscoe, when the last time was that the coal dust had been cleaned out from amongst those rollers?
A. Yes, Oh, under the rollers? No, but I had a lad cleaning the roller ends on that very shift, but there was not that much that I thought necessitated being shifted.
3. Q. I do not think you have answered my question, have you? The question was when was the dust last cleaned out from beneath the rollers? A. Well, I could not say because the day shift looked after that.
4. Q. As far as you know yourself it had not been done for quite a long while; as far as you know? A. No, the day shift looked after that. They had men to do that.
5. Q. It is very important that should be done? A. Yes.
6. Q. This coal dust if it gets among friction is apt to generate heat and in the end create a fire? A. Yes sir.
7. Q. MR SUNDERLAND: No questions.

STANLEY HAY, Recalled:

Examined by the Coroner.

8. Q. Have you got your statement? Would you like to speak it out yourself? A. If you wish, sir.

"I was called to the Pit at 2.45.a.m. on December 9th, 1948. After consultation with Mr W. Wilcox, Sub-Area Agent I descended the Hesketh Pit and went to the Old Whitfield. I found the conveyor gear head in the Old Whitfield belt dip was burning, and that the road sides in the belt dip were also on fire. On my way inbye, I passed the Fireman W. Brough, who was being conveyed outbye on a stretcher, suffering from the effects of fumes, consequent upon his having made determined attempts to reach Hughes and Cooke, whom he knew were working in a position of danger relative to the fire....."

9. Q. Wait a minute. Will you show the Members of the Jury where you were when you met Fireman Brough? A. I could not say, sir. It would be just off that plan, sir.
10. Q. Was anybody with you? A. Mr Walker, the Under-Manager.
11. Q. Mr J. K. Walker, the Under-Manager, and were there some other officials and workmen with you? A. No sir, when I got to the fire they were on the spot.
12. Q. You were accompanied by Mr J. K. Walker? A. Yes sir.
13. Q. Will you carry on about attacking the fire? A. The stoppings have been referred to, and what they did was a good job to help us with our work, but there was only an odd pack or two by the door. They built a stopping. We had to open the door to attack the fire. Of course, that short-circuited the ventilation, and our trouble was that the fire was steadily reaching the door. If that had not been put out the door would have collapsed and control of the ventilation would have been hopeless. Actually, four of us stood under the burning material. Prior to that I instructed Mr Walker to get the water, and within a few minutes he had the water on the job, where we played the hose on to the burning material. Unfortunately,

the effect of the water and the heat and the scorching timbers round the steel rings and steel arches caused the roof to start to flake off and fall, some of it hitting the men working fighting the fire.

1. Q. Of course, apart from the normal pressure of ventilation air going in every time the door opened had a very violent suction effect through the flue which the Belt Dip had been turned into? A. We were in this position here. (Witness indicated on the plan). when the overman came along to report that this smoke was coming around on to us. During that time the rescue team had gone along here. (Witness indicated on the plan). It was time for us to be relieved. I came out here to see the conditions and then these four that were left in there had to come out as they were almost overcome with the fumes. We immediately started erecting a stone dust stopping here, (Witness indicated on the plan), and that had to be completed. The rescue men had failed. They had got to this point, (Witness indicated on the plan), and could not see for smoke. They returned and assisted us to put this stopping up.
2. Q. That is at the Old Timber Dip? A. Yes sir.
3. Q. That is where the smoke in the Main Level was coming from?
A. Yes sir, re-circulated.
4. Q. Now, a number of rescue teams had been called out? A. Yes.
5. Q. And did several of them make repeated and very gallant attempts to try to reach these men? A. That was later, sir. When this was completed we sent the rescue men to make sure all those doors were shut, as we could only get along there a few yards. When that door was shut and this was completed fresh air then travelled, taking its normal course. We left the hose playing on the fire, which did us a lot of good, because when we got to that point we could get inside the door, close it, and really make progress in controlling the fire.
6. Q. You did really save that inside door? A. Yes sir. Later, Mr Cope and Mr Irwin, the Inspector of Mines, and myself set along here, (Witness indicated on the plan). but I was recalled by the telephone to telephone the surface, and they made their way to this point here. (Witness indicated on the plan). As they were coming back I met them at about this point (Witness indicated on the plan).
7. Q. After you had telephoned, you went along the Main Level and up to Poole's Face? A. Yes sir. I met them coming back to this point. When I got down here (Witness indicated on the plan). a rescue team had arrived. Mr Cope immediately went back with that rescue team to this point which was quite a fresh air base. (Witness indicated on the plan). I took the next rescue team.
8. Q. When you are calling that a fresh air base you mean comparatively, because the smoke had apparently been penetrating into the top heading? A. When Brough arrived in this position, the men opening and shutting the doors, there would be a decrease in the ventilation and a greater amount of ventilation going up this way, (Witness indicated on the plan). and that is why it was backing down on Brough.
9. Q. When you are talking about fresh air it was sometime after that, when the main body of the smoke had been cleared?
A. There was no smoke here, sir. (Witness indicated on the plan).

1. Q. It was perfectly clear? A. It was perfectly clear at that juncture.
2. Q. When you and the rescue team got there it was a fresh air base?
A. Well, we could not see much.
3. Q. Because the smoke was still there towards Rowe's Heading, was it not? A. Yes.
4. Q. It was not backing into Poole's Top Heading there; not very much? A. No sir; not very much.
5. Q. Now, to shorten it, were there repeated and some very gallant attempts made to recover the two men? A. Yes sir. Mr Cope was in charge of that, sir.
6. Q. Now, after the rescue teams had done so much to try to reach the two men, was it quite obvious to everybody - first, that it was impossible to reach them; and, second, that if they were up in that district the fumes must have affected them fatally?
A. Yes sir.
7. Q. Was there a conference attended by The Divisional Inspector of Mines (Mr Scott), on my left here, The District Inspector (Mr Jenkins), The Divisional Production Director (Mr Cope), The Area General Manager , The Area Safety Engineer, the Sub-Area Agent of the District; and also Mr Baddeley and Mr Jones, of the North Staffordshire Branch of the N.U.M.? A. Yes sir, they were in the Manager's office.
8. Q. You were not at that conference? You were reporting from the pit bottom? A. From this telephone here (Witness indicated on the plan). Outside the conference were Mr Cope, Mr Irwin and myself.
9. Q. And you knew from discussions and exchanges on the telephone the other gentlemen were up in the Manager's Office? A. Yes.
10. Q. And did you decide to do, most reluctantly, the only thing left to you, and that was to attempt to seal off the fire?
A. Yes sir.
11. Q. First of all, was a stopping in the Main Intake Area built?
A. After the decision was arrived at, yes sir.
12. Q. Will you just show us where it was sited? (Witness indicated on the plan) A. It was found impossible to put a stopping on the return side; the smoke was so thick; the heat was intense; and the rescue men could not see.
13. Q. Otherwise, the return side, just off the main crut, would have been the best thing to do? A. Yes. This stopping was put on and the separation doors were opened, and everything was all as normal as possible. The return stopping was put on the following day.
14. Q. At the time it was intended to put a second stopping there, but the heat and smoke prevented you? A. Yes sir.
15. Q. And then, even when equipped with full rescue apparatus and smoke helmets, there was no chance of your doing anything until the second day? A. No.

1. Q. So you confined the sealing to that part of the Main crut?
A. Yes sir.
2. Q. Now, to summarise your evidence, did you then, in this statement that you yourself prepared, Mr Hay, say : " There can be no doubt that the two men, Hughes and Cooke, would have been asphyxiated a considerable time before the decision to seal off the district was taken"? A. Yes sir, that is so.
3. Q. So far as is known, Mr Hay, there would be nobody near the bottom of the Belt Dip where the fire is believed to have originated, at that particular time, you say? A. No sir.
4. Q. And the only reason, apart from any business Mr Hughes, Mr Cooke and Mr Baldwin had to come down by the Belt Dip, the only reason for anybody being near there would be passing the bottom either on the way up to Poole's Face or else going outbye? A. Outbye.
5. Q. And, in any case, it would not be accessible to anybody until they opened the two ventilating doors and passed through them?
A. No sir.

Examined by Mr Jenkins:

6. Q. Mr Hay, were proper facilities provided for fighting a fire in this particular district? A. There was a tank here (Witness indicated on the plan). When I say a tank I mean there was a well, 12 ft x 8 ft x 12 ft. holding, when it was full, approximately 8,000 gallons of water. It was just under two feet from the top, which would mean, roughly, it held 6,000 to 7,000 gallons of water.
7. Q. What means were provided for conveying that water from the well to the Belt Dip? A. There was a small pump and buckets and hose.
8. Q. Was this a compressed air worked pump? A. Yes.
9. Q. So it was independent of the supply and when the supply was cut off? The pump worked independently when the electric power was shut off the district? A. Yes sir.
10. Q. So that the pump was kept going the whole time? A. Yes sir.
11. Q. Is there any reason known to you other than oversight on the part of someone why water was not applied long before it was actually applied to the seat of the fire? A. I think, as far as Taylor and Carp were concerned, I was on their heels, walking on their heels, but I was within about five or ten minutes after them; and the only thing I can put it down to so far as Brough is concerned is his anxiety to try and get to the two men who were entombed.
12. Q. Yes, I am quite sure of that, Mr Hay. In the absence of Mr Brough having been overcome and taken out of the mine as a result of what he had done, who would be the next official on the scene who would know? A. Mr Charles Taylor.
13. Q. How long before your arrival had Mr Taylor been there? A. He could not have been more than about five or ten minutes before me.
14. Q. So it can be said that as soon as there was a responsible official on the scene facilities for fighting the fire were adopted immediately? A. Yes sir.

MR SUMNALL: No questions.

Examined by Mr Holdsworth:

1. Q. Mr Hay, on the evidence that we have heard the air went off on the working places of Baldwin, Hughes and Cooke? Have you found any reason to think that anybody turned it off? A. No sir.
2. Q. You have gone into this, no doubt, very carefully? A. Yes sir. Baldwin in his statement said there was only just a little air. It had not got a big load to take. He occasionally had to go down and adjust the valve.
3. Q. Baldwin said it went off? A. The shakers stopped, but he did not know whether the air went off or not. He would know the shakers had stopped.
4. Q. It was driven by air? A. Compressed air.
5. Q. You have not been able to find anybody who turned it off? A. No.
6. Q. If it went off, it went off through some other reason than human intervention? A. Yes.
7. Q. It might have gone off through the fire, might it not? A. It is quite possible.
8. Q. A little way off the plan, to the top lefthand corner of the plan, there is a transformer station, is there not, with some main electric switches in it? A. Yes.
9. Q. Soon after the fire was known to have been going the main switch - the main cut out - came into operation, did it not? A. Yes sir.
10. Q. It tripped? A. Yes.
11. Q. Have you been able to find that anybody did that by hand? Did anybody pull out that trip? A. It would trip out automatically.
12. Q. It would, I know. It could also be done manually, could it not? A. Yes sir.
13. Q. Have you any reason to think there was anybody who did do it manually? A. No sir.
14. Q. So it comes to this, that the power went off apparently of its own accord, and the air seems to have gone off of its own accord? A. Yes. The compressed air power did not go off.
15. Q. Well, something went wrong with the shakers at Rowe's Heading?
A. Quite. Probably, the fire may have been the cause of that. We had compressed air power to work our pump.

THE CORONER: What Mr Holdsworth means is up above the top where the men were working. He does not mean the compressed air had failed through the pit.

MR HOLDSWORTH: Oh no. I did not mean that. Very well, we agree. I will leave that point. Another question about the electrical switch. You have come to the conclusion that the thing tripped automatically? These things are designed if a dangerous electrical fault develops, that trip does act automatically and cuts out automatically? A. Yes sir.

1. Q. I suppose you have periodic electrical tests A. Yes.
2. Q. Are they kept in a book? Is a record kept of them? A. Yes.
3. Q. You have examined the records, of course, since the accident?
A. Yes, with Mr Irwin, the Inspector.
4. Q. Is there any sign amongst those records that the electrical circuits were going downhill before the accident from the point of efficiency? A. No sir, none whatever.
5. Q. The tests were completely satisfactory? A. They were very good.
6. Q. Right up to the accident? A. Yes, sir.
7. Q. No beginning of a deterioration? A. None whatever, All electrical machinery was F. L. P.
8. Q. So, if an electrical fault developed, it was a sudden fault of some kind? A. Yes sir.
9. Q. Of course, if a fire burned the cables that is just the sort of thing that would make that cut out trip? A. Yes.
10. Q. Very well, now we will pass from that. What were the management's instructions about the periodical supervision and maintenance of the belts and belt motors in the Belt Dip and the Cross Belt? A. It is the fireman's job daily.
11. Q. Daily? A. Daily.
12. Q. On each shift? A. On all shifts.
13. Q. I see. But, Mr Hay, was it just left like that - that every fireman on every shift must look at the motors and belt? A. It is not just left like that. It is an important part of his duty. He is responsible for it. The tests are, of course, made by a specialist, when you inquire about the switches, etc.
14. Q. Mr Hay, please do not think I am getting at anybody but somebody, and I should have thought it would be the manager, someone surely ought to have laid down what is to be done by way of supervision of those belts and so on? A. It is.
15. Q. Is this laid down in writing to you?

THE CORONER: It is laid down in the Regulations.

MR HOLDSWORTH: Well sir, I am conscious of that, but only in general terms.

THE CORONER: Yes.

MR HOLDSWORTH: So I want to know did you lay down in writing, or how, what every fireman was personally to do by way of supervision? Do you follow? A. I follow, yes.

16. Q. Did you give periodic instructions at all, or did you just leave it to the good sense and experience of the fireman?
A. That, plus the fact that I make inspections.
17. Q. You left it to the good sense of the fireman, and you yourself from time to time looked into it? A. Yes sir.

THE CORONER: Well, I think it ought to be explained that he would daily have conversations with the firemen in order to know what was going on. Every day he would also see the under-manager. Directly, or indirectly, are you in touch with the firemen? A. Yes sir.

1. Q. All of them? A. All of them.

2. Q. Respecting their work and duties? A. Yes sir.

MR HOLDSWORTH: Mr Hay, one is naturally anxious to avoid a repetition of anything like this, you as much as anybody else. Looking back, do you think perhaps it would be better in future if clearer instructions were given for the maintenance of these conveyors and belts? A. By the firemen?

3. Q. If clear instructions were given - more definite? A. Well, sir, we can only instruct the firemen to do their utmost to abide by the Coal Mines Act, and that is part of their duty.

4. Q. We have had one fireman in evidence this morning to say that he only did it when he had the men available. I think that was the effect of it. It is very important, is it not?
A. Yes sir.

5. Q. It is a very possible source of a fire like this? A. I doubt it in this case. When you think you have an installation there capable of 1,000 tons a day -----

6. Q. Just listen, Mr Hay. I said it was a possible source, I did not say it was the actual source? A. There are many possibilities.

THE CORONER: I think Mr Holdsworth put it, too, that with any fireman the pans and belts would be cleaned as and when necessary. If he had not a man at his elbow and there was a necessity I am sure any fireman in North Staffordshire would send for a man and see the work was done.

MR HOLDSWORTH: Yes sir.

THE CORONER: I think, in order to meet the trend of one or two of your questions, Mr Holdsworth, I had better call the electrician who can answer definitely as to what was done or what was not done with the trips and the switches.

MR HOLDSWORTH: Yes, maybe.

THE CORONER: It might be more satisfactory.

MR HOLDSWORTH: Mr Hay, there is one other matter I want to ask you about. Did you receive information of this occurrence at 2.45? A. As near as I can say.

7. Q. About a quarter to three? A. Yes sir.

8. Q. You were not, of course, at the pit? A. I went straight away.

9. Q. You were at home? A. I went straight away to the pit.

10. Q. Who was in charge at this pit on the surface? A. One the surface?

11. Q. That night? A. I could not tell you, off hand, sir.

1. Q. I am not sure that it matters, but, at any rate, whoever was in charge before you got there, you automatically took charge on arrival, I suppose? and you began to give telephone instructions to the various people that had to be notified on such an occasion? A. I just gave one instruction and immediately got into my pit clothes to go down the pit, and I was down the pit as quickly as possible.
2. Q. Mr Hay, you are fully familiar with the 8th Schedule of the Regulations, which is on Page 49 of the pamphlet? It lays down that the very first thing to do - the very first thing to do - in a situation like this is to telephone the Central Rescue Station and call out the trained rescue men attached to the mine itself? A. Instructions had been given for that.
3. Q. It is laid down? That/^{is}the first thing to do, before you telephone the Divisional Inspector of Mines, for instance?
4. A. As a matter of fact - ---

THE CORONER: He wants to say something, Mr Holdsworth.

THE WITNESS: I went down the pit at ten minutes past three, and the names and addresses were being found, that is, those of our own rescue men and a car was sent out for them immediately. By arrangement with Mr Wilcox others were sent for later. I had only been in the pit then for 10 minutes.

4. Q. Please do not think you are being criticised. This was an emergency, and there was a tremendous amount to do in the minimum of time. But it does appear from the log that I have got that it was not until ten minutes past four that the Rescue Station at Stoke was notified. That was a long delay, was it not? A. Not really..
5. Q. No? When the first thing you are supposed to do is to notify the Rescue Station? When you yourself were notified at quarter to three it seems rather a long time to go until ten past four before you notified the Central Rescue Station?

THE CORONER: The only thing is, Mr Holdsworth, in his responsible position he would have to satisfy himself there was need for more than local help before he advised the Central Rescue Station. I know the wording of the Regulation, but, after all, it is desirable in every way, is it not, that the Central Rescue Station should not be advised until it is certain that there is an emergency which requires assistance from the Central Rescue Station?

MR HOLDSWORTH: That, of course, is entirely a matter to be established.

THE CORONER; It would be a matter for his judgment, too?

MR HOLDSWORTH: That would, and be it said that he had a lot of other things to do.

MR MCBRIDE: (Area Safety and Research Engineer, N.C.B.). The Superintendent of the Rescue Station, whose report I have seen, informed me that he had a telephone message at the Station at 3.10, not at 4.10, as stated.

THE CORONER: I do not know whether the Jury heard that. Would you mind coming over in their direction and repeating that, Mr McBride?

MR MCBRIDE: The Superintendent of the Rescue Station, whose report I have seen, informs me that he had a telephone message at the Rescue Station at 3.10, and not 4.10.

MR HOLDSWORTH: That may be correct. If so, it would meet the point I desired to bring out.

THE CORONER: At any rate, you have elucidated that.

MR HOLDSWORTH: Mr Hay, you are really responsible for producing this log? A. What is that?

1. Q. This sequence of events compiled by Messrs Wilcox, yourself Mr McBride and others? A. I was one of those. I was responsible partly for it.
2. Q. It says quite clearly it was not done until 4.10, and it was not until then that three cars were despatched to collect members of the Whitfield Rescue Brigades? A. No, I say three cars were already being despatched to collect Rescue Teams when I got to the pit first. I do not know what time it was. When I came to the surface a car was already waiting for the men.

THE CORONER: You see, it is 4.10 there, but it should be 3.10. It looks like a typing error.

MR HOLDSWORTH: It looks as if it was a typing mistake.

THE CORONER: It is probably "4" when it should have been "3".

MR MCBRIDE: I am talking off hand at the moment, but I feel in my own mind ---

THE CORONER: I do not want to embarrass Mr McBride by forcing him into the witness box. Will you accept that?

MR HOLDSWORTH: I have nothing to say, but it is a matter that ought to be gone into.

THE CORONER: I think Mr Holdsworth will be satisfied that, undoubtedly, the alarm was raised, even to the Central Rescue Station, at 3.10.

Examined by Mr Sunderland:

3. Q.. Mr Hay, you were asked whether the failure of the electrical system would have caused the trip to operate? A. Yes.
4. Q. The failure of the electrical system might cause the trip to go. Alternatively, the fire itself might bring that state of affairs about? A. Yes.
5. Q. Because the trip has gone means nothing in relation to the electrical system as such, does it? A. No.
6. Q. The other matter is this, You were asked about the records that were kept. Is it a fact that within the previous 24 hours the electrician had made an inspection and was satisfied?
A. Yes sir.
7. Q. One last matter. You are probably much more familiar than I am with the provisions of Section 66 of the Act providing for inspections by competent persons appointed by you. Are those competent persons appointed by you the firemen in this case? A. No. A specialist is appointed.
8. Q. In addition to that is the firemens duty to make inspections?
A. External inspection, say, to feel round the bearings.

1. Q. And are those inspections in accordance with the statutory provisions? A. Yes sir.

THE CORONER: I propose, to make certain facts quite clear, particularly for you, Mr Sumnall, and you, Mr Holdsworth, to call Leslie Farr, who is the electrician and the expert who dealt with the matters.

LESLIE FARR, Duly Sworn:

Examined by the Coroner.

2. Q. Are you Leslie Farr, the electrician in charge of the Hesketh Pit on the night shift of the 8th-9th December last? A. Yes.
3. Q. Now, Mr Farr, will you tell the Members of the Jury and the representatives whereabouts you were when you got a telephone message from Albert Bentley, a colliery ripper? A. I was in the Main Crut Haulage, that is, right against the gear.

THE CORONER: Well, this witness says that his situation was here, (The Coroner indicated on the plan) away to the right of it. It says: "Hesketh Pit Downcast". He was at the junction on the left, where the Main Crut comes down and the downcast comes into it. That was your situation? A. I was in the Main Crut Haulage.

4. Q. At any rate, you were there when you heard from Bentley? A. Yes.
5. Q. You do not say - have you got any idea about what time it would be when Bentley rang you up? A. No, I have not, sir.
6. Q. Would it be sometime after two, and certainly before three; probably, it was half past two? A. Between two and half past.
7. Q. On the morning of the 9th? A. Yes.
8. Q. What did Bentley tell you? A. He said that the two rippers that were going home had turned back and said that there was smoke coming out of The Hesketh Back Crut. I asked him if it was coming out of the cable or junction box. He said "no," it was coming out of the earth.
9. Q. Did he explain it was coming through the Main Crut doors?
A. Yes.
10. Q. He pointed out it was coming against the ventilation? A. Yes sir.
11. Q. As soon as he told you that did you go straight there to investigate? A. I had just started out when another phone message came through?
12. Q. From Slaney? A. Yes, and he said The Old Whitfield Belt Dip was on fire.
13. Q. You began to realise what was happening? Did you give John Slaney any instructions? A. I told him to knock every switch out, including the Bowling Alley.
14. Q. Did you also tell him: "Don't put any of them in again until I get there?" A. Yes.
15. Q. Did you go to the Transformer House? A. Yes.
16. Q. And when you had looked round did you see that the Old Whitfield Feeder Switch had tripped out on earth leakage, and that is what it was for? In other words, it was doing what you call "flagging"? A. Yes.

1. Q. Is it a Mavor and Coulson switch? A. Yes sir.
2. Q. Did you withdraw the switch by raising the plate at the back, and go up into the Old Whitfield to the Belt Loader End?
A. Yes. There was no lock there, so I decided to wire it out with a piece of signal wire.
3. Q. You had better tell the gentlemen here what you did. You actually put the lever in the "off" position, and wired it down? A. So as no one could put it in.
4. Q. Where, at this time, had you got to? You had better explain.
A. The Belt Loader End at the bottom of the Main Level, right opposite the Belt End.
5. Q. You fastened that in the "off" position with signal wire, so that anybody would know it should not be tampered with? A. Yes.
6. Q. Did you then go back to the Transformer House to make tests on the Old Whitfield line? A. Yes.
7. Q. I do not know whether it is very illuminating to any of us here, but you found the test showed 20 megs, which you thought was satisfactory, and, normally, a very good test? A. Yes, it was a very good test.
8. Q. Now, were you about to use the phone when you heard Mr Walker?
A. Yes.
- 9., Q. Did he give instructions to one of the Crut Haulage Enginemen?
A. Excuse me, I forgot to mention in my statement - the gentleman over there wants to know why the wind was turned off. As I got to the Banbury, the Institute electrician told me they could not work in their main dip for smoke, and they had turned the wind off at the back crut. That was stopping all the wind from going up there to the Hesketh Back Crut. I told him what had happened and he asked me if he could turn it on again.
10. Q. To shut off the pipe which was going away from the crut, but, of course, the continuation pipe down the crut would still have pressure there further on? A. Not up to the Banbury and from the Bambury there would be no wind at all.
11. Q. It would stop it all? A. From the Banbury.
12. Q. That is what I was wanting to know - whether it merely stopped finally, or whether it stopped everything from there? It stopped everything from there? A. From the Banbury.
13. Q. What time was that? This is about where the air was stopped, and, apparently, it stopped both further on and up to the left? A. Between two and half past.
14. Q. But then it was before half past two? At any rate, it was before you had had your second phone message? A. Yes.
15. Q. Do you know who turned it off? A. The Institute electrician.
16. Q. The Institute electrician turned off the compressed air? A. Yes.
17. Q. I think you said you were about to use the phone when you overheard Mr Walker giving instructions to the Crut Haulage Engineman? A. Yes sir.
18. Q. Was he saying that Lacey's men had to be withdrawn from the Bullhurst, Lacey being the contractor, or the fireman? A. The contractor on the face.

1. Q. That, of course, was at the other side of the crut? A. Yes.
2. Q. Now, as soon as Mr Walker had completed giving his orders did you ask him about the switches for the Bowling Alley - as to what you were to do? A. Yes.
3. Q. What did Mr Walker instruct you to do? A. He told me I could put the Bowling Alley switches "in" and he also wanted the Old Whitfield big fan running.
4. Q. "He instructed me to put the Bowling Alley switches 'in' and also the Old Whitfield switch to start the fan,"? A. Yes sir.
5. Q. Mr Taylor, the overman, who has given evidence, and you have heard this, came up, and as soon as you had finished telephoning did you report to him what Mr Walker's instructions were as regards the Old Whitfield fan switch? A. Yes, that is right.
6. Q. Now did Mr Taylor request you not to do something? A. Not to do anything until Mr Walker got back.
7. Q. Until Mr Walker had seen the situation? A. Yes.
8. Q. So at that time Mr Walker was on his way inbye? A. I could not say.
9. Q. You could not say? A. No.
10. Q. But he did go back towards the Main Level from you, did he? If you do not remember, say so? A. I overheard Mr Walker talking to the Main Crut Engineman.
11. Q. Oh, you mean on the phone? A. Yes.
12. Q. Oh, that has cleared it up. I was wondering what Mr Walker was doing there then. I am sorry. You were waiting to speak on the phone, to get into touch with Mr Walker for instructions, and you could overhear him on the telephone as he was speaking to the engineman? A. Yes sir.
13. Q. And then Mr Taylor said : " Don't put the fan switch in until Mr Walker has been to the Old Whitfield? A. That is right.
14. Q. To see what the situation was? A. Yes sir.
15. Q. Did you go on towards the Old Whitfield with Mr Charles Taylor? A. Yes sir.
16. Q. And Mr Walker got there soon afterwards? A. Yes sir.
17. Q. Did Mr Walker have the ventilation pipes broken inbye of the Old Whitfield Loader End? A. Yes.
18. Q. Down below there? (The Coroner indicated on the plan). A. Yes.
19. Q. Did you then go back to the Transformer House to re-set the earth leakage, dropped the plate which you told us you raised at the back of the switch and start the switch "on" again - put it "in"? A. Yes sir.
20. Q. And did that make the Old Whitfield line "live"? A. Up to the face.
21. Q. Up to the Old Whitfield Loader End? A. I should think so.

1. Q. You knew by that time the line would be operative up to there? (The Coroner indicated on the plan). A. Yes
2. Q. And did you start the fan up again about 3.25? A. I could not say the time it started.
3. Q. You have made a statement that it was? Would it be round about that do you think? A. I do not know.
4. Q. Apparently, you were told sometime later, at 5.20 a.m., that the fan stopped again. I do not know whether there is any significance in that? A. It was stopped.
5. Q. Oh, it was stopped? In other words, it was switched off at the fan? A. Yes.
6. Q. After you had looked at the electrical details in the place you were assisting to get supplies of stone dust to the fire? A. Yes.
7. Q. Later on did Mr Walker, who was then supervising, ask you to go up with the other men to the Cockshead Haulage? A. Yes sir.
8. Q. And to draw the fireman and pumpmen up the Cockshead Dip? A. Yes.
9. Q. Does that mean you had to start the haulage or shout to them to start the haulage at the bottom of that dip because they come up mechanically? A. As I got to the Cockshead I had just got one of them on the face, the fireman, and I told him what Mr Walker had told me I had to do. He had to draw him up and come up to the Old Whitfield.
10. Q. Just to explain that, so that everybody will know what that means - there were only two men down there, and acting on your instructions, the fireman and the man working with him, the pumpman, and they had to come up a gradient of one in three for about, I think, 1,300 yards? A. Yes.
11. Q. On a trolley? A. Yes.
12. Q. And that was done? A. Yes; it took about 13½ minutes.
13. Q. Was the trolley to bring them from where they were working down at the bottom of that haulage? A. Yes.

MR JENKINS: No questions, sir.

Examined by Mr Holdsworth:

14. Q. Mr Farr, did we understand that you cut off, or caused to be cut off, all the air at 2.30? A. No, I did not cut it off; the Institute electrician.
15. Q. Somebody did, did they? A. Yes.
16. Q. And are you sure about that? A. He told me so, anyway.
17. Q. At 2.30? A. Somewhere about that.
18. Q. We have heard they were using compressed air on a water pump to pump water on to this fire later than 2.30. "He asked me if he could turn the wind on again, and he turned it on."

THE CORONER: I am afraid he did not tell us that. I was wondering why the man turned the air on again. All I can say is, like you Mr Holdsworth, I was not fortunate enough to hear what he said.

MR HOLDSWORTH: We will pass from that, Mr Farr. About these electrical tests. You had routine tests. Do you test every circuit every day? A. No, oh no.

1. Q. When did you last test the electrical circuits going to Poole's Face - and Rowe's Heading? A. I did not. The day shift did that.

2. Q. You cannot tell us about that? A. No.

3., Q. When you went down the face and found it tripped out did you test it? A. Yes.

4. Q. Did you test it only for earth, but also for continuity? A. Both of them.

5. Q. You got a satisfactory test for earth did you? A. Very satisfactory.

6. Q. Practically no earth? A. Up to this point. I only tested to this point. (Witness indicated on the plan).

MR HOLDSWORTH: Oh, I see. So that does not really help us.

THE CORONER: No, he does not really know anything about that, Mr Holdsworth.

THE WITNESS: Only up to that point (Witness indicated on the plan). No further.

Examined by Mr Sunderland :

7. Q. Of course, Mr Farr, you are the person responsible for all this work and who is authorised to make all the tests and inspections? A. Yes.

THE CORONER: I am going to ask Mr Scott whether he thinks from the evidence elucidated there is any need to call any further evidence.

MR SCOTT: None at all, sir, in my opinion.

THE CORONER: For about a week I was going through the available evidence very carefully, and since Mr Cope let me have this really model statement, both as regards the matter of it and the way it is presented, regardless of expense, I doubt if there is, as far as I can see. I do not know whether Mr Holdsworth or Mr Sunderland or Mr Sumnall have any special desire to hear anybody.

MR HOLDSWORTH, MR SUNDERLAND and Mr SUMNALL: No sir.

THE CORONER: Well, the gentlemen of the Jury will have heard sufficient for their needs, and will, I am sure, wish to pay tribute to and admiration for Mr Brough, and from knowledge which has come to me from every authentic source, too, for the gallantry of many others, including Mr Hay, Mr Walker, Mr Cope and the rescue teams. I am sure we shall want to pay a tribute to them all for their heroism in this emergency, having regard to the fact that they must have had a very alarming thought every second of the time they were handicapped in their rescue work and fire fighting; they must have had a very alarming thought at the back of their minds, but that did not deter them.

As regards Mr Baldwin, that very helpful witness, Mr McAteer, has shown that Mr Baldwin proceeded up the face and carried out Mr Brough's instructions, which is a matter of relief, because, subsequently, he left the pit without authority, and we can now assume that from his experience he would not be in the best of form to continue, because this morning he did not even remember that he had gone back to warn the men on the face, through Mr McAteer, who was the first man he saw. I think we are all gratified, I am sure, to know that.

The Jury has a curiously restricted and yet important position at a Coroner's inquest. But in cases where a Government inspector - in this case where His Majesty's Inspectors of Mines have to be notified of an accident in which they are concerned, a Coroner must sit with a jury, and the Jury alone return a verdict.

I think it is pretty obvious, and I think nobody will differ, when I say that the only verdict is a simple one in two words: "Accidental death." Nevertheless, as custodians of public liberty, your duty remains an important one.

You can retire if you wish, and if you like I will read, in advance, what I think is the verdict you might like to return on each of the three inquest victims.

The first is Ernest Percy Shearer, and you might like to return a verdict that he died of carbon monoxide poisoning through an accidental fire in a coal mine.

Secondly, if, on the evidence, you are satisfied that Samuel Richard Hughes and Henry Cooke did unfortunately lose their lives and are now sealed off, that the cause of their respective deaths was an outbreak of fire in a coal mine - accidental death.

Will you gentlemen please tell me if you are prepared to record those verdicts, if they meet with your approval, here and now, or if you wish to retire?

THE FOREMAN OF THE JURY: We would just like to retire.

THE CORONER: I would like to remind you that as regards any expression of opinion or rider, and I hope you are not contemplating either, you are free agents; but that as regards your verdict on the facts as given that is the only relevant verdict that could be given. But I respect your wish to retire, because that is your own prerogative as good men and true.

(The Jury retired at 3.30.p.m. and returned at 3.41 p.m.)

THE CORONER: Mr Foreman, touching the death of Ernest Percy Shearer, have you arrived at your verdict?

THE FOREMAN OF THE JURY: Yes sir, accidental death.

THE CORONER: And if I write on the inquest form: "Carbon monoxide poisoning through an accidental fire in a coal mine" that is in order?

THE FOREMAN OF THE JURY: Yes sir. We all agree.

THE CORONER: Respecting Samuel Richard Hughes, was the cause of his death assumed to be, and have you decided it was, an outbreak of fire in a coal mine - accidental death through that cause?

THE FOREMAN OF THE JURY: We have agreed, Sir.

THE CORONER: And likewise, that the same applies to Henry Cooke?

THE FOREMAN OF THE JURY: We have, Sir.

THE CORONER: Thank you very much, gentlemen.

MR SUNDERLAND: If it please you, Sir, I am instructed by the National Coal Board, through you, to express their very real sympathy to the relatives of the deceased in this matter. I am also asked to point out - that Mr Cooke and Mr Hughes were both members of rescue teams, and have in the past done very gallant work in that direction. Also, I should like to take this opportunity myself, on behalf of the Coal Board, of extending our very warm appreciation of the heroism of Mr Brough and of his very heroic efforts on this occasion.

MR HOLDSWORTH: I have appeared, formally, Sir, for the relatives of the deceased, and I am sure they will be most deeply gratified and appreciative of what Mr Sunderland has just said. May I associate myself again with his comments about Mr Brough?

THE CORONER: Thank you very much, gentlemen. I may say it is a immense relief to me that we have completed what I think has been a very thorough inquiry to-day. That concludes the three inquests.

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