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First Report of Findings of the Royal Commission

Judge Godson Lays Blame for Disaster at Hollinger Upon "Lack of Co-ordination in the Organization." Commissioner Speaks Highly of the Spirit of the People of the North. Second Report to Deal With Recommendations to Assure Greater Safety.

The report of Hon. T. E. Godson on his Royal Commission enquiry into the Hollinger Mine disaster of Feb. 10th, and the 39 deaths occurring, was made public at Toronto last Wednesday. The report was given out by Hon. Chas. McCrea, Minister of Mines, who made no comment. As soon as the report was issued the attorney-general's department was queried as to what action would be taken in the matter, Hon. Mr. Price stating that there was a second report to be issued, and that this would be waited for, and then with the entire situation before them the Government could take whatever steps might be required. At present it is understood that Judge Godson is on a week's holiday after a very strenuous time with the work of the mining cases coming before him. His second and final report for the Royal Commission of enquiry will be completed on his return and it is expected to be ready at a comparatively early date.

The first report of the commission just issued deals with the causes of the fire and the placing of the responsibility for the same.

"The lack of co-ordination in the organization of the company resulted in a disjointed system of control thereby permitting the improper dumping of thaw-house refuse in empty stopes where there was no concurrent act of backfilling or covering," says the report.

"The general manager and the assistant general manager cannot dissociate themselves from responsibility for their own organization; and in my opinion, the responsibility of a general manager and assistant general manager is not limited in extent or time where it concerns the safety or protection of the workmen or others under them."

"Dry thaw-house refuse in its parts and in its substance," Justice Godson finds, "was of an inflammable nature, and as such an apparent fire hazard. Its proper disposition, therefore, was of the utmost importance as a measure of protection against the occurrence of fire."

"There was an omission on the part of the General Manager in not inquiring or knowing how and where such inflammable matter was being placed."

"The Assistant General Manager was remiss in not personally satisfying himself that thaw-house refuse was being disposed of through the central waste pass, or by other proper method, diluted or mixed with waste rock and other material, as he had been informed was the practice of the company with respect thereto."

The report then records that one method of disposing of thaw-house refuse is by sending it to the surface and burning it under mine boilers, but that this practice had been stopped at the Hollinger on account of minor explosions occurring, presumably from detonators or dynamite which had become mixed with the refuse. By a decision of the General Superintendent and the Mine Superintendent, made in 1923 or thereabouts, two options for disposal had been given. One was "through the current waste pass"—"a reasonably safe method of disposal." The second option was "direct to stopes which were being backfilled."

"This method, without complete dilution or mixing of the refuse with waste," the report says, "imported danger. A duty was therefore imposed upon the General Superintendent and Mine Superintendent to keep themselves informed if this prescribed manner of disposal was being properly and safely carried out. In this duty they failed."

A third means of disposal was by "dumping of thaw-house refuse in empty stopes where backfilling was not being done." The dangerous and hazardous plan, the report says, "seems to have been adopted without orders from the General Superintendent or the Mine Superintendent." From a system of permissible dilution the practice became one of "complete segregation of inflammable rubbish." Officials who issued orders pertaining to the methods and practices to be carried out "failed to keep themselves informed if such practices and methods were being maintained." Verbal orders the report adds, were given where written orders were advisable in order to fix responsibility and as a precautionary measure.

"The failure to issue written orders respecting the method of disposal of thaw-house refuse as determined by the General Superintendent and Mine Superintendent, and the absence of any complete record prior to April, 1927, of stopes in process of being backfilled, were contributing causes of the fire."

Judge Godson finds that thaw-house refuse was being placed in Stope 55A for two and a half years prior to the fire; that this stope had not been backfilled since April, 1927; and that this condition prevailed during the year 1926 or earlier. He says that the workmen who placed it there, and those who saw it or knew of it being placed, were intelligent practical miners, capable of appreciating the danger of the practice and owed it as a duty to their fellow workmen to report the fact to the Safety Inspector, their superior officer, or the Government Mine Inspector.

In this regard the report says:—"The General Superintendent, the Production Superintendent, and Transportation Foremen under him, later the Superintendent of transportation, transportation bosses, and company Safety Inspector knew or should have known that thaw-house refuse was not being thoroughly mixed with or completely covered by waste rock, sand or gravel and therefore in this condition constitutes a menace. These officials in their respective responsible positions formed links in the chain that bound the executive and management with the workmen, and should have cemented the whole as a compact organization. Failure to properly instruct, to inquire, to know, prevented cohesion and let in an insidious manner, silently grew into a recognized system, or accepted policy,

thereby creating a condition which made possible the fire in question."

The report states that from the general manager down the scale of the organization to the muckee no one thought of a fire underground. All minds were "oblivious to the fact" that thaw-house refuse, being highly inflammable, was therefore a dangerous substance when left underground. The report gives a number of "accumulated circumstances" which are deemed responsible for this "security of mind" upon the part of both the management and the men who "placed the waste, or saw it being placed, without complaint," and then adds: "It was not a neglect of a condition that was realized, but an omission to realize a condition."

Continuing, the report says:—"The inspector of mines of the Porcupine mining division did make inquiry as to how thaw-house refuse was being disposed of, and upon being assured by then Hollinger safety inspector that such refuse was being sent through the central waste pass, his mind was satisfied and the inquiry ended. The answer from the standpoint of safety was a satisfactory one, and reassuring to the inspector. The inspector, however, did not examine into the 'state and condition of the mine' respecting the disposal of a dangerous material, such as thaw use

NOTICE TO CREDITORS

In the Matter of the Estate of Elizabeth H. McClesney.

All persons having claims against the Estate of Elizabeth H. McClesney, late of the Town of Timmins, in the District of Cochrane, married woman, deceased, who died on or about the 14th day of August, 1926, are hereby notified to send in to the undersigned solicitor for Samuel McClesney, the executor of the said Estate, on or before the 17th day of June, 1928, full particulars of their claims duly verified by statutory declaration. Immediately after the last mentioned date the said executor will proceed to distribute the assets of the estate, having regard only to the claims as he will then have notice.

Dated at Timmins this 15th day of May, 1928.
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Marshall-Ecclestone Building, Timmins, Ontario. Solicitor for the Executor.

Arch. Gillies, B.A.Sc., O.L.S.
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refuse. An examination of the mine with references to this material would have shown the safety inspector's statement was partially, but not wholly, true, as the fact was that thaw-house refuse was being sent only at times through the central waste pass, more frequently to stopes where backfilling was in process, or had been definitely suspended."

It was not forgetfulness or the part of the Mine Inspector but passivity, the report says. "An assurance had been given and accepted. It ended there." Nor was it a wilful misstatement of a fact on the part of the Safety Inspector, but "a reply given in ignorance of a fact that it was his, the Safety Inspector's duty to know."

"An Inspector, to justify his appellation and purpose," the report states, "should be satisfied only with what he actually knows to be a fact, not with what he is told or hears. He should be thorough, possessed of an inquiring mind, and eternally vigilant. With these attributes, he will at once impress upon (as the fact should be) a mine organization and employees that the spirit of the regulations of the Mining Act must be strictly and closely observed. The Department of Mines is impotent in its effectiveness if it cannot rely upon its officials in their several responsible positions. The department had a right to assume that its Inspector would inspect in the full sense of the term and as interpreted by the language and the essence of the regulations of the Mining Act."

Judge Godson pointed out that the evidence given at the enquiry was chiefly by workmen and officials now or formerly in the employ of the Hollinger Mine. "Quietly and with dignity," the report says, "they told what they knew. There was hesitation through diffidence, but restraint through fear was not manifest or admitted. As witness followed witness until the research was exhausted, the paramount note of their evidence was: 'We did not think of fire; it never entered our minds.' Men with university degrees, skilled in their profession, practiced in its application; workmen experienced and tried in underground mining, gave no thought or heed to the possibility of fire arising from the manner and method of the practiced disposal of thaw-house refuse; in the subsequent light of what occurred, a seemingly extraordinary admission, but, viewed in the atmosphere of their environment, a state of mind that can be understood."

In reference to the measures for increased production, the report says: "Those of the public unfamiliar with the industry of mining with its many pressing geological, metallurgical and economical problems, and without a conception of the vastness or physical interior of this the largest gold mine on the continent, must necessarily fail in forming a sound opinion of the degree of responsibility for the cause of the fire."

"Those who guided the activities of the mine, and those who gave their services, one and all testified to a belief in a state of physical security. This outstanding fact must be based upon some common reason, and cannot be lightly dismissed in measuring the degree of neglect or responsibility for what occurred. I have given reasons why this state of mind prevailed, and if the suppositions which I advance are tenable, the omission can be said to be a neglect of a condition that became obscured; lost track of in the concentrated effort for increased production which the directors, as a body of business men, properly sought if the mine lent itself to it, and which the shareholders would have a right to expect."

"The evidence does not indicate, nor do I find, that a recognized danger was carelessly cast aside in order to achieve major production. It was thought the material was being safely placed. If so, the omission was to know that it had been so placed."

"There was a dependence by the management upon officials under them, and these officials upon the workmen, but no one saw to it that the chain of continuity of action was complete."

"By the men who placed the waste or saw it being placed without complaint; the habitual use of oilskins as protection against wet induced a placid state of mind, a reliance upon the judgment of experienced officials over them; the stope itself with its dripping walls not being combustible, presented the security of an incinerator, and, finally, familiarity with powder fumes."

"I am deeply impressed with the magnitude of the responsibility the management has in the conduct of this mine. It employs approximately 2,500 men, of whom 1,540 work underground; 89 bosses direct the workmen under them; there are 100 miles of drifting and crosscutting; 8 miles of raises and shafts. The water pumped from the mine amounts to 835,000 gallons a day; there were 370,000 tons of waste rock put back in stopes last year, and 306,000 tons of sand and gravel were placed in worked out stopes between May and November of 1927."

Very aptly the commissioner refers to the Hollinger as "a mighty undertaking and a tribute to the management that brought it out of its swaddling clothes in 1912, to an amalgamation of properties with its present production of over 6000 tons a day."

The report while setting down the origin as undetermined, keeps constantly forward "the apparent fire hazard" in the inflammable nature of the thaw house refuse, and the great need for its proper disposition if protection against fires is to be assured.
(Continued on Next Page)

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