

Note about the following transcription:

These archives follow the aftermath of a fatality that occurred at the Britannia Mines in 1951, when a man named Kenneth Flanagan was killed whilst working underground.

We have transcribed these documents for the reason of demonstrating the steps that were taken when a fatality happened, illustrating the duty of care taken by the mine owners in such an instance, as sometimes there is a perception that safety for workers was not a concern for the Managers. In this instance, Mr Flanagan's death was treated with the utmost seriousness.

The transcription is produced here with respect to Mr Flanagan and any family he may have.

September 14th, 1951

Mr. Clive Hughes
Chief Inspector of Mines
Department of Mines
Parliament Buildings
Victoria, B.C.

Re: FATAL ACCIDENT TO MR. K. FLANAGAN

Dear Mr. Hughes:

We hereby confirm our telephone conversation yesterday with regard to a fatal accident on our 1200 Level at our 12-68 Dump, to a Diamond Drill helper - Mr. K. Flanagan, who is an employee of Boyles Bros. Diamond Drilling Company of Vancouver, B.C. The Boyles Bros. Company contract the core diamond drilling underground at Britannia Mines.

The accident occurred about noon Thursday, September 13th, and our telephone conversation about 2:00 P.M. that day.

Yours very truly,

E Roper

Manager

September 17th, 1951

Mr. H.H. Sharp, President,
Howe Sound Company,
NEW YORK CITY, N.Y.

RE: K. Flanagan - Fatal Accident of September
13th to Boyles Bros. Diamond Drill Helper.

Dear Mr. Sharp:

We regret to report a fatal accident to the above employee of Boyles Bros. Diamond Drill Constructing Company just before noon on Thursday, September 13th.

On this day I was making one of my routine inspections of the Mine with Assistant Mine Superintendent, Len Allen. We visited the Victoria Mine in the morning, and immediately after lunch we went back to inspect the 10 67 B.D.C. and the Fairview Mine. On arriving at the B.D.C., a miner had his grizzly sealed over with planks and told us a man had fallen down the 68 Raise System at the 12-68 Dump. We immediately went to the 1200 level where we found the dump guards had been removed and the motor coupled to the two Granby cars, and then a load of Diamond Drill equipment standing opposite the Dump. On returning to the 1200 Station we were told that the Diamond Drill Runner was operating the motor and had asked his helper, K. Flanagan to walk ahead of the equipment while they were transporting it from the Zinc Zone to the No.5 area on the 1200 Level. At the 68 Dump they had for some reason or other removed the guards, and although actually no one saw Flanagan fall down the Dump, the Diamond Drill Runner thought he saw his light flash down the Dump.

We immediately checked the 68 vantage points at 1400 Level and 1600 Level and then went down to the 2200 Level to organize a search for the victim. As you know this portion of the 68 Raise System has been in operation for over 30 years, and is a huge cavernous raise of unbelievable dimensions. The 1800 Level Control Chute had been emptied the day before and therefore it was decided to place a grizzly under this chute and draw it to try and recover the body. A 12 inch grizzly was built, as I went out of the Mine to advise our Inspector of Mines, Mr. R. King, the R.C.M.P. and generally organize the usual efforts surrounding a fatal accident.

Mr. R. King was not available by phone, but I contacted the Chief Inspector of Mines, Mr. C. Hughes in Victoria, describing the incident as best I could, and told him that we contemplated drawing the 1800 Level Control Chute to obtain the victim. He raised no objection

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Re: K. Flanagan - Fatal Accident - September 13th

Mr. H. H. Sharp - September 17th.

to this procedure. By noon the following day Mr. King was on the property, and we had practically drawn the 18-68 Control Chute empty without sight of the body. All the drawing had been very carefully supervised with extra supervisors.

Then came the momentous decision I had to make to send men in the Raise. Needless to say, this was a terrific strain on me and my staff. We rigged up a bosun chair arrangement on the 1600 Level and at the 12-68 Dump where the accident occurred. Reports were given to me on every detail of the operation every four hours throughout the twenty four. Our Supervisors were solicited from other sections of the Mine to aid in the search for the body. With the aid of a strong search light the man in the bosun chair was eased down the raise, which has many vertical portions. On the 1600 Level he was descended for 100 feet before he touched the foot wall, but found no trace of the remains. At the 12-68 Dump, he descended vertically 120 feet, which would be the fall the victim would take before contacting solid. A hat was spotted on a shelf on the foot wall of the Raise, just above the 1400 Level. There was no evidence of any additional presence of the victim.

We then had to make the decision to send men up through the 18-68 Chute to try and cover the bottom portion of the Raise, and where we thought the body would come to rest. Through Saturday night and Sunday this terrifically hazardous operation was in progress with some blasting necessary. We did not have any luck in locating the remains. Naturally the tension on all of us of responsibility, especially those actually exposing themselves to these conditions was mounting.

This morning the Mine Inspector notified us that these treacherous chances were to be discontinued. We forthwith took all of our men out of the Raise. Our next move will probably be to dump some water down the Raise in the 1050 Level, but this has several drawbacks and will create hazardous drawing conditions on the 18-68 Control Chute.

Boyles Bros. were immediately notified of the incident, and they notified the mother and father of the boy, who live in Vancouver. Naturally they taken it very hard, and the father is determined to come up to the property. As usual in this type of incidence the press are a blamed nuisance.

At this writing the Inspectors Department of the Department of Mines have not advised us of the procedure they will adopt, but if and when the Inquest is held I hope to supply you with full details therefore.

Production from the 10-67 B.D.C. and the Remy Stope was suspended at the time of the incident and will continue until further notice. Closure of this Raise as a main artery will also effect the disposal of development muck from No.5 Development on the 1200 Level of the No.5 Production. Of far greater importance however, is the strain placed on your Company Officials right down to every shiftboss who assisted in these operations without letup for almost four solid days. The fact of being unable to obtain the remains of a fatal injury is a new experience for us, and one we hope will never recur.

Re: K. Flanagan - Fatal Injury - September 13th, 1951

Mr. H. H. Sharp - September 17th.

We will undoubtedly make further attempts in this regard, and should we obtain favourable results, I will advise you by "wire".

Sincerely yours

ECR: JS

September 20, 1951

REPORT OF EFFORTS MADE TO RECOVER THE REMAINS OF
K.A. FLANNIGAN FOLLOWING A REPORT THAT HE
HAD FALLEN INTO 12-68 DUMP, BRITANNIA MINE
BRITANNIA BEACH, B.C.

A report was circulated in the mine at 12:15 p.m. September 13th, 1951 to the effect that a man had fallen into the 12-68 Dump. This matter was first brought to my attention in the new 10-67 B.D.C. by M. Marchauk the miner there while a routine inspection was being made in the company of Mr. E.C. Roper, Manager.

A check was made in No. 1 Hoistroom to verify the report.

The scene on 1200 Level was inspected. A motor, two Grany Cars and a small flat car which was loaded with D.D. equipment made up in a train were found stalled at the 12-68 Dump.

A check was made at the 68 Dump on the 1600 Level. Muck was moving in the raise but nothing was visible in the raise. The muck level was assumed to be too low in the raise to conduct immediate rescue operations from this level.

A decision to draw the 16-68 Chute under careful supervision was made at this time.

This decision was acted on immediately and the operation was continued until the chute was empty.

The following is a resume of the work done from the time of the accident until the body was recovered.

SEPTEMBER 13th, 1951 - A.M. SHIFT

Received report of accident. Drawing of 18-68 Chute commenced. A check showed that the chute had been drawn nearly empty the day before and that approximately 400 tons of muck had been put in the interval.

SEPTEMBER 13th, 1951 - P.M. SHIFT

Drawing 18-68 Chute. Observations made into the raise where possible and as observation points were prepared. Under supervision of E.R. LeBlank and J. Garner a plank grizzly was built over the opening below 18 68 Chute lip.

SEPTEMBER 14th, 1951 - GVD. SHIFT

Drawing 18-68 Chute. Chute apparently empty at 1:00 a.m. but muck continued to fall into the fingers. Supervisor J. Garner.

SEPTEMBER 14th, 1951 - A.M. SHIFT

Drawing 18-68 Chute under charge of J. Nault, R. King - Mines Inspector and Constable E. Phelan - R.C.M.P. arrived at the mine and inspected the scene.

SEPTEMBER 14th, 1951 - P.M. SHIFT

18-68 Chute drawn under supervision of V. Acton. Water was put into the raise from 10 67 B.D.C. Chute was reported empty at 4:00 p.m. Fine muck and water coming to the fingers.

SEPTEMBER 15th, 1951 - GVD. SHIFT

A flood of 90 gal. of water was put down the raise from 2 barrels dumped simultaneously on 1050 Level. This brought an estimated 60 tons of muck to the fingers.

The slope drift connecting 1800 Level and the old crusher room at the elevation of 1700 Level off the 68 Raise was investigated. Operations directed by L. Henderson
18-68 Chute was empty at 6:00 a.m.

SEPTEMBER 15th, 1951 - A.M. SHIFT

Operations in the slope drift stopped at 9:00 a.m. as an estimated 30 feet of muck was hung up in the raise below 1700 elevation.

Tugger hoists were set up at the dumps on 1200 and on 1600 Level. No suitable place was available at 1400 Level.

Ladders were put down the dump wing on 1400 Level and an observation platform built into the raise at the elevation of 1400 Level.

A dummy made to simulate a human body was dropped through the 12-68 Dump at 10:15 a.m. the dummy hung up in a crevice in the raise in the vicinity of a muck covered bench approximately 30' above 1400 Level. The dummy together with a miners hat and a powder box were visible on the bench above 1400 Level. The raise was re examined with a powerful spot light in so far as possible from 1200 Level to 1800 Level by R. King, E.R. LeBlank and L. Allan.

SEPTEMBER 15th, 1951 - P.M. SHIFT

Jack Graney, shiftboss, rode in a special bosun chair which was suspended from a tugger cable from the 68 Dump on 1600 Level to a point 120 feet below in the 68 Raise. Result negative. He rode the same divide in a descent into the 68 Raise below 12 68 Dump to a point approximately 175 feet down and in the vicinity of the dummy. Result negative.

SEPTEMBER 16th, 1951 - GVD. SHIFT

The operation of laddering up inside the 16-68 Chute to make whatever observation was possible was commenced on Gvd. Shift by J. Deas, R. Hanson and L. Henderson. A bench of muck approximately 70 feet above the chute was approached but it was found impossible to get on top of it so they decided to bulldoze the muck down.

SEPTEMBER 16th, 1951 - A.M. SHIFT

Continued investigation above 18-68 Chute. Ropes were dropped down 68 Raise from the dump on 1600 Level to the 18-68 Chute to test the possibility of climbing up the raise and on to the bench of muck. Close approach to the bench convinced those in charge that the only way to recover anything which might be on the bench was to bulldoze the muck off the bench. This operation was continued. J. Nault in charge on 1800 Level. Work was done on 1400 Level to put an eyebot into the wall of the raise in such a position that the bosun chair could be lowered below 1400 Level and a tugger was set up.

SEPTEMBER 16th, 1951 - P.M. SHIFT

Work inside 18-68 Raise was continued as this was thought to be the most likely place for success. J. Graney and H. Curry were in charge.

SEPTEMBER 17th, 1951 - GVD. SHIFT

Muck was bulldozed off the bench above 18-68 Chute. A tin bit box which was dropped down the raise early in the operation was recovered off this bench. This work was done by J. Deas, R. Hansen and L. Henderson.

SEPTEMBER 17th, 1951 -A.M. SHIFT

W. Jewitt and J. Graney undertook to make an observation in the 68 Raise below 1400 by whatever means they deemed possible. They were on this work when an order was received from the Mines Inspector that no more men were to enter 68 Raise in furthering this search. This order was received at 9:00 a.m. and went into effect immediately. The above order indicated that the Mines Inspector had assumed a measure of authority in furthering the search for the remains of K.A. Flannigan.

A conference followed in the Safety Office which included R. King, Mines Inspector; Constable Phelan, R.C.M.P.; E.R. LeBlanc and J. Garner, of the Safety Department.

The outcome of this conference was that the R.C.M.P. undertook to photograph the 68 Raise below 1400 Level.

Spiders, one made of chain and one of cable were to be made up and dropped down the raise from 1200 Level in an effort to dislodge anything which might be hanging up on a bench in the Raise.

SEPTEMBER 17th, 1951 -P.M. SHIFT

Operation suspended for further planning.

SEPTEMBER 18th, 1951 -GVD. SHIFT

The bench above 1400 Level was cleaned off by extending pipes into the raise and using a stream of water and then air.

Chain and cable spiders were dropped down the raise. The chain spider went through to the 18-68 Chute on the first trip. The cable spider apparently hung up in the raise in the vicinity of the dummy. The dummy still rested in the crevice which was the water channel above 1400 Level. The chain spider hung up in the same area when it was dropped a second time.

This effort recovered a miners hardboiled hat and a piece of cigarette case. J. Garner in charge.

SEPTEMBER 18th, 1951 -A.M. SHIFT

Some development muck was dropped from 1200 Level with no results.

SEPTEMBER 18th, 1951 -P.M. SHIFT

Raise made available for R.C.M.P. photographers.

SEPTEMBER 19th, 1951 -GVD. SHIFT

Raise washed down with an estimated 1,000 gallons of water from 1200 Level. An estimated 70 tons of muck was taken out at 18-68 Chute using blow pipes. J. Garner in charge.

SEPTEMBER 19th, 1951 -A.M. SHIFT

68 Raise made available to the R.C.M.P. - working out method and getting equipment.

SEPTEMBER 19th, 1951 -P.M. SHIFT

68 Raise made available to R.C.M.P. Photographs were taken in the raise below 1400 Level. Nothing significant was learned. The 12-68 Dump was also photographed.

SEPTEMBER 20th, 1951 -GVD. SHIFT

At the suggestion of Mr. E.C. Roper, Manager, five 40 gallon drums were lined up at the 12-68 Dump, filled with water and simultaneously dumped into the raise. A second attempt with this method resulted in a body, which was later identified as that of K.A. Flannigan, appearing in the fingers at the 18-68 Chute together with some parts of the cable spider. This was at 2:00 a.m., September 20th, 1951. J. Garner in charge.

In my opinion the most hazardous parts of this operation were the work done in clearing the bench above 18 68 Chute and the descent into the raise in the bosun chair. The Bluff and Fairview shiftbosses and spare shiftbosses gave unstinted support to this effort and some of them carried out the most hazardous parts of the operation.

Mr. E.C. Roper, Manager, was in close touch at all times and a great deal of help was obtained from his suggestions.

L.Allan,
Assistant Mine Superintendent
Brtiannia Mining and Smelting Co.,
Limited.

INQUEST PROCEEDINGS INTO THE ACCIDENTAL DEATH OF KENNETH ALLEN FLANAGAN, HELD AT TOWNSITE, BRITANNIA BEACH, BRITISH COLUMBIA, ON THURSDAY, SEPTEMBER 20, AT 12.15. P.M.

Coroner: Charles Hinson, Esq., Britannia Beach, B.C.

R.C.M. Police: E.J. Phelan (Constable), Britannia Beach, B.C.

Provincial Mine Inspector: Robert B. King

Representative, Britannia Mining and Smelting Co., Limited. Mr. L. Allen

Representative, Mine & Mill Workers' Union. Mr. G.A. Bennett

Jurors. McDonell Knight - Foreman

Daniel Frank

James Downie

Ronald Bartel

William Cadenhead

Ronald Baverstock

Witnesses. Dr. MacDaniels

Murdo Alexander Urquhart

Harold Frederick Hewett

Warren John Farquharson

James Nault

Robert John Hanson

Walter Jewitt

Emil Richard LeBlanc

John William Garner

The Coroner's Inquest convened at Mine Safety Office, Britannia Townsite, Britannia Beach, B.C., under Coroner Charles Hinson Esq.

The Jury was duly sworn.

The Body was viewed by the Jurymen and identified by A. Urquhart as being that of Kenneth Allen Flanagan. The Body was released for burial, and the Inquest adjourned to reopen at 12.15 p.m. in the Conference Room at Britannia Townsite, Britannia Beach, B.C.

The court reconvened at 12.15 p.m. in the Conference Room, and was declared in order in the name of His Majesty the King.

Miss Elizabeth Hooper, of Britannia Beach, B.C. was sworn as Court Stenographer.

Roll Call of the Jury.

The Coroner instructed the members of the Jury as to their duty.

Dr. MacDaniels, SWORN.

Q. Would you state the nature of the injuries when you examined this man, Doctor, as to what caused his death?

A. There was evidence of multiple fractures. The skull was severely fractured - what we call a comminuted fracture. That is, it was broken into a large number of separate fragments. Both legs and the left arm were fractured, and there was general evidence of severe crushing injuries. In my opinion, the injuries would have caused instant death.

Q. The date of your examination was today's Date?

A. Today's date at 3.00 a.m.

Murdo Alexander Urquhart, SWORN.

Q. You are Foreman for Boyle Brothers Diamond Drillers?

A. Yes

Q. Would you tell the Court about the work and instructions, if any, with respect to this work?

A. At Seven o'clock in the morning I told Harry Hewett and Ken Flanagan that they would move up from the 1400 Level to 1200, to move all of the gear, and to set up on a hole previously marked by the engineers. I also told them that I had to go to the lower level, 4100, and very likely would not be in for a while.

Q. Were there any special instructions as to how they were to move this?

A. No, there were no special instructions, except to take all their gear with them and move into this site.

Q. Was this the usual practice?

A. This is the usual practice. Harry Hewett is an experienced driller, and knew all the necessary moves.

Q. (Jury) These men had done this type of work before?

A. Yes, several times.

Q. This day you refer to was the 13th day of September?

A. Yes.

Q. And you became aware of the accident at what time?

A. Between 1.15 and 1.30 p.m.

Q. Who informed you?

A. Mr. Garner, Safety Engineer.

Q. Is it a general practice for the Boyles Brothers' men to use motors and every thing else to move their equipment?

A. I do not know whether it is general practice, but they have been using them whenever they were not in use.

Q. The deceased was familiar with this part of the level?

A. Yes, he had worked there for eighteen shifts.

Q. How long had he worked for Boyle Brothers?

A. Two months. He started on July 4.

Q. (Jury) Had he worked in any mine?

A. No.

Harold Frederick Hewett. SWORN.

Q. Are you a Diamond Driller?

A. Yes.

Q. Will you explain to the Court what you were doing at the time these things occurred?

A. We arrived at our working place at approximately 7.30 a.m., tore down our entire diamond drill, and loaded it on a flat car. That brought us up to approximately 10.00 a.m. We phoned for the skip, and there was a delay, as they were using the skip. We arrived at the 1200 level at approximately 10.30. The motor was in use, so we decided to eat dinner then. We had lunch, and at approximately 11.00 a.m. I went in with Jim Nault to get some timber and to see the working place, as I had not been in for some months. That was a new working place to me. He collected his timber, and we went into the working place, and I got the motor, and by this time Ken had walked in to see where I was. We decided to take the two Granby cars out, and side track them to get them out of our way. On our way to the station we met Bob Hansen, and I told him I was going to side track the Granbies to get them out of our road. He told me it was next to impossible, as the siding track was filled, and that we should go down to the dump at 68. We opened the bridge to by pass dumping the cars, when Jim Nault told me that it was wiser to take the safety guards off and leave the bridge in the dumping position, as there was a danger of tearing the guards out with the car. We replaced the bridge to the dumping position, and removed the guards from the hole. Ken walked ahead and went past the dump with the motor and I hooked up our car in front of the two Granbies, using a long draw bar. John Farquharson, a pipe fitter, then came along, with some pipe couplings. I then told him I was going into the same place, and he put the pipe couplings on the motor, and Johnny sat on the seat with me. We had our train made up

Q. This man, where would he be going?

A. On into the working place, as far as I know.

Q. If he went to the working place, he would have to go past 68, and it was open?

A. As far as I know. I sat, and Ken walked on the left side, and said O.K., come ahead slow. He was ahead with the gear to see that nothing fell off, and to go underneath the train as I got to 68 dump. I saw a light flash on my left, where there should not be a light. I stepped immediately and ran forward. Ken was nowhere in sight and I presumed he had fallen down the raise. I called for him, but heard no answer. John Farquharson walked ahead to see if Ken had gone on, and I ran to the station to get help. I met Ken Kutz there and told him my fears. There were some electricians with him - I do not remember who. He gave them orders to tell someone to stop drawing, and came in with me. Kutz took over from there.

Q. At the time you made up your train at the station and were ready to proceed in the drift past 68, you say that Flanagan proceeded on the left side of the train?

A. The Granby cars almost fill the drift, and so you have to walk on the left side to get any room to walk.

Q. When he proceeded up the left side would you lose sight of him?

A. Yes, because I was sat on the motor, and then seat is on the extreme right hand side of the motor, and all I could see was just a reflection of his light on the wall at the back as he walked.

Q. Once you started in motion do you recall sight of the light after that time?

A. Yes, I believe, ahead on the all. I cannot say for sure. I do not remember.

Q. Would you say that No.68 is well illuminated?
A. Fairly well.
Q. Sufficiently well that a man with normal sight could not miss seeing the opening?
A. Yes, I think so. There are at least two or three bulbs there.
Q. You have several years experience underground?
A. Since 1946 on this particular property.
Q. And is it not a usual practice, that when guard gates are removed from a dump they should be put back immediately.
A. No, not in a case like that. I by pass these dumps as much as possible. There was still some muck in the cars that I had not dumped, and it might come out again. I figured I would have to open the gates again, so I left them open. Left them unguarded, as it were.
Q. Is it not a fact that if a work car is full of muck and it should leave the rails it is much more difficult to replace than if it is empty?
A. I do not know. I have never worked as a motorman in this particular mine. I have worked as one in Caribou Quartz, but not here.
Q. At the time that this accident occurred, would you tell us what type of footwear the deceased was wearing?
A. To my knowledge, the Britannia Rubber boot, a ten inch boot with the instep protected, cleated soles, and hobnailed heels.
Q. And the time of the accident would be around when?
A. Approximately 12.15, to my knowledge. I looked at my watch on my trip to the station, and it was 12.20.
Q. Can you tell this Court whether the deceased was riding or walking at the time of this accident?
A. I told him to go ahead with our gear to see that nothing fell off. I presume he was walking. I do not know.
Q. And the reason you stopped the train at 68 dump?
A. That was because I saw a flash of light on my extreme left, in the general direction of the dump, where there should not be a light.

(Mr. Urquhart). I mentioned in my statement there that Flanagan had worked eighteen shifts here. He was not working with Mr. Hewett, he was working with another worker.

Q. (Jury) Was the Granby car partly on the dump?
A. (Hewett) I do not know.
A. (Hansen) The Granby was over the dump block, within about three feet of running completely off it.
Q. That would be in a closing position?
A. (Hansen) IT was on a closing position.
Q. The car with the gear would be well past the dump?
A. (Hansen) It was well past the dump.
Q. Will the Court explain to the Jury what the safety guards are that were removed, please?
(Coroner showed Jury Photographs of the dump.)
Q. It was a flash of light that made you stop?
A. (Hewett) Yes, a flash of light where there should not be one.
Q. (Bennett) Well, you say you stopped when you saw a flash of light. Well, if this is true, how many feet would you say it was past the dump the cars would proceed after you saw the flash of light?
A. Just a bit. The car was on the bridge, and I had to shut off the controls and put the brakes on, so I imagine the car rolled ahead a bit. I do not know how much. It moved some, I imagine. Perhaps, I think, about six or eight feet from the time I saw the light.
Q. (Bennett) I would like to ask Mr. Hewett if he thinks it is a safe practice to have two cars in front of the motor?
A. No, but there was nothing else to be done. We had intended to side track them, but could not.
Q. (King) Do you think the train would travel fifteen feet from the time you saw the flash of light?
A. I do not know. I should not imagine so. Eight or ten feet, perhaps. I don't know. I am not very well acquainted with these motors and Granbies. Perhaps someone else could answer better.

(King) Mr. Coroner. One thing should be made clear - that there is a regulation regarding covering of openings such as this directly after they are used. That should be made clear.

Q. The guards were removed by you and the deceased?

A. (Hewett) Yes.

Q. (Jury) is it possible to lower this particular bridge so that the car would not dump going through there?

A. It was. We had intended to do that, but we were advised to take the guards down as there was a danger of tearing them out, and I do not know the level well enough to disregard advice.

Q. How were the conditions for walking? Were they slippery?

A. At that time they were slippery. There was some slimey mud in the middle of the track in that particular drift.

Q. (King) May I ask if you noticed anything characteristic about the deceased's behaviours that day?

A. Yes. He was in his usual spirits. We had intended to go to town the following day.

Q. If the deceased had cried out as he fell into the dump would you have heard him/.

A. I heard his command to go ahead slow, so I imagine I would have.

Q. (King) would there be any jar or shock when the Granby cars hit the dump bridge?

A. No, I don't think there was much of a shock

Q. (Bennett) Do you think that if you were travelling at a good rate and the dump wheel of your Granby strikes the bridge there would be a momentary lapse in momentum?

A. I do not know. I could not say, but you are pushing, and your connections are all tight.

Q. (Jury) If you had not been advised by the shifter to take the guard rails out

A. It was not the shift boss, it was Jimmy Nault. To my knowledge he was a miner that day.

(Nault) There was muck in the cars at that time. I told him to leave dump block as it was, remove the guards, and put back same after he was finished.

Q. Did Jim Nault tell you to do it that way, or was it just advice?

A. It was advised, not ordered.

Q. Well, that was right when you were going back with the train with the diamond drill, you left the guard rails down?

A. Yes.

Q. If you had not been advised to take the guard rails down, would you have knocked the timber down to go over the bridge?

A. I had taken the timber out and lowered the bridge when I was advised to put the bridge back up and take the guards down. I had intended to by pass dumping the cars.

Q. And did you put the bridge back up and retimber?

A. Yes, and blocked it in place.

(Photograph shown to witness by Jury, and recognised by witness).

Q. (Allen) I would like to ask if you could have disregarded the advice and followed your own plant?

A. I could have, but I don't know the level well enough to risk it.

Q. (King) Do you know if any of the gear was missing from the diamond drill truck?

A. Not to my knowledge, but I do not know how many hoses I had.

(King) There were three on the truck.

A. I do not know.

Q. (Jury) Was there any sign of the load on the flat car being disarranged at all?

A. Our entire load had shifted when we were bringing it out of the skip, and we had pushed things back into place again. To my knowledge nothing is missing.

(It was stated that evidence would be given as to the condition of the cars and the dump itself as to how they were found after the alleged accident.)

Warren John Farquharson, SWORN.

Q. What is your occupation?

A. Pipe Fitter's helper.

Q. You are an employee of Britannia Mining and Smelting Company?

A. I am.

Q. Will you tell this court, as you recall it, the events that transpired after you met Hewett on the 13th of September on the 1200 foot level?

A. After I had met Harry

Q. About what time?

A. I don't know offhand. I would say around noon, just after lunch. I met Harry Hewett as he was going into his working place, and he suggested I ride in with him as we were both going in the same direction. I put the vitaulic pipe couplings on the motor, and sat on the seat beside Hewett.

Q. Had you seen Flanagan yet?

A. Yes.

Q. You were speaking with him?

A. Yes, we had been speaking with him. I was on the motor when the signal had been given to go ahead slow, by Flanagan. I then turned my attention to the trolley bar, as it is bound to come off when the motor is first started. I had seen Flanagan's light there, just before I turned my attention to the trolley poles, on the left hand side of the drift, the dump side.

Q. Would you actually see his light, or a reflection of it?

A. Well, I had seen his entire light.

Q. That is just before the train proceeded?

A. I had seen his light the way I had heard the signal given to go ahead. After the signal had been given, my attention was directed elsewhere.

Q. (Coroner) Your attention was given to watching the poles?

A. Yes.

Q. So you were looking behind?

A. Yes, I was.

Q. Is it a fact, then that you last saw Flanagan as he proceeded up the left hand side of the train?

A. Yes.

Q. You did not see him again after he gave the verbal signal?

A. No.

Q. Did you notice a reflection of light after?

A. No, I did not see him again after I had seen him proceeding up the left hand side.

Q. It is a fact, is it not, that if he continued to walk along the left hand side of the train he would have no alternative but to fall into the hole?

A. Yes

Q. (Jury) Approximately what distance before you came to the raise would the signal be given?

A. I don't know, I cannot say for certain.

Q. When he said come slowly ahead, was part of the train near the dump, or past?

A. The entire train there, as I saw it, was in front of the dump.

Q. You mean it was before the dump?

Q. When you sat in the motor, how far away from the dump would the first car be?

A. I could not say.

Q. Would it be a considerable distance?

A. I do not think it was a considerable distance. I was not paying particular attention.

Q. Was the motor at the cross tracks?

A. Yes, it was about there.

Q. Well that is a long way from the dump, then.

Q. Do you know if there was any arranged signals between Flanagan and the motormoan?

A. No, I could not recall.

Harold Hewett recalled.

Q. What was the distance, approximately, that the leading hand car was from the dump at the time the train started?

A. I should say approximately 150 feet. As you come in from the station on 1200 the main line goes straight in a drift about 30 feet. There is an arc back switch to the right, and there is a cross over the main line, running across the drift. You come in either to the left or right. We pushed our car into the switch, and trammed the car. My train was on the left of the switch from the arc to the main line. The end car was approximately on the switch, and the motor was to the left of it. This was 1253 drift.

Emil Richard LeBlanc, SWORN.

(Emil Richard LeBlanc, SWORN)

Q. You are a Safety Engineer?

A. Yes

(Plan of 1200 level shown and described).

Q. The approximate distance from the switch to the raise is 160 feet?

A. Yes.

Q. Now would you tell the Court the approximate length of a hard car?

A. I would say six feet.

Q. And the intervening long draw bar?

A. Nine feet.

Q. And the two Granby cars?

A. Eleven feet.

Q. The motor?

A. Thirteen and a half feet. There were two other bars, two feet each, making the total length of the train 54 feet.

Q. That leaves approximately 100 feet that the train would have to push the leading car before it came against number 68 raise?

A. Yes

James Nault, SWORN.

Q. You are a miner?

A. Yes.

Q. On the morning of September 13, you were on the 1200 level, working in 126

A. Yes.

Q. Do you recall meeting Mr. Hewett and the deceased, Flanagan?

A. In the lunch room, at 10.45.

Q. Would you just tell this court what transpired from that time on?

A. After I left the lunch room, about 11.10, I went up the truck about half way between 68 dump and 126 chute, cut a ten by ten timber, loaded same on flat car, and two four by fours five feet long, pulled it behind motor, where motor was, right next to timber pile. Pulled it up as far as the switch, hand trammed it in behind the Granby cars, moved timber to the side. Went in and picked up two Granby cars that was behind mucking machine at the face, pulled back the two Granby cars below switch, put in timber truck back on main line. Then pushed timber truck and everything into the face. Hewett asked me if I was through with the motor, and I said yes, and then I went back to the face to work. Came back to 68 dump. Hewett was starting to take dump block down, and I told him, if I was you I would take the guard rails down and dump the muck and put back same when finished. That is the last I seen of the deceased. I went back in and went back to work. Kenny Kutz came in and informed me a man was believed down raise. Soon after Bob came in and told me to pick up my things and help put the barricade up this side of 68 dump. When I went to the station, met Ollie Malm, the shifter, and he told me to report to 1800 and await further orders.

Q. When you advised the deceased and Hewett to take the guards down, did you also advise them to put them back up again?

A. I did.

Q. What was your reason for advising them to take the guards down?

A. There was muck in the cars, the cars would not clear, and may knock the guard down. He suggested he was going to hand tram the cars to back switch, but he would never be able to back switch with muck in the cars.

Q. Have you ever previously taken the dump bridge down at the 68 raise?

A. No, not on that level.

A. (Allen) Would it have been possible for the diamond drillers to take the motor only to the station, tow the load of gear past the dump, and handle it at the switch as you had your timber?

A. Yes, it would have been possible.

Robert John Hansen, SWORN.

Q. You are a Shift Boss employed by the Britannia Mining and Smelting Company?

A. Yes.

Q. Did you give any orders to these men?

A. I did, at lunch time or after lunch. Well, I came down to 1200 level between 11.20 and 11.25. I wanted to catch some miners before they left the lunch room, and ask them if they had got the diamond drill slashes drilled and braced. They had the slashes drilled and braced, and they told me that the diamond drillers were inside getting the motor to take their equipment in. In went into the east end on 1200, and I met the diamond drillers with the motor and the two Granby cars in the cross cut

between fourth and fifth veins. I asked them what they were doing, and they said they were taking them out to switch them because they could not keep them in as they were in the road to get the diamond drill equipment to the raise. They asked me where they could switch the Granby cars to get them out of the road. I told them it was going to be a pretty hard job to switch them at the station. After speaking it over with them for a while, we decided the best way would be to push the cars across the cross tracks at the station, switch the diamond drill gear ahead of the two Granbies, and push the load in to the east end. I told them to load their drill equipment well, as they would not be able to see it with the Granbies ahead of them. I went on in to the east end of 12, inspected the Diamond Drill set ups, and started back out again. I met the pipe fitter's helper on the way, and he asked me if I had seen the diamond driller's helper. I told him no, I did not believe he was in that end. He informed me that the driller thought the helper had gone down 68 dump. When I got out to the dump Kenny Kutz and the diamond driller were at the dump. Well, we talked there a few minutes, trying to decide whether it was possible that the man had gone down. After speaking a few minutes we decided that he must be down there. We went

Q. What did you decide?

A. Well, I didn't figure there was any chance the man has passed us going into the east end, and he was not around. I was quite certain he was not in the east end. I went out to the station and I phoned up to 1050, asked the hoistman to get hold of the skip tender and close the openings above. It had already been done. One thing I would like to point out. I was shifting when we built the dump block on 1200, and we built that block so that it could be raised and lowered by two men by hand, and the train would pass without removing the guard.

Q. Is it in the same condition now?

A. Yes. It is not necessary to take those barricades down and set up the bridge to take a Granby car through. If the bridge is down the Granby car will clear the barricade, passing the dump.

Q. (Jury) You mean the safety gate when you say barricade?

A. Yes.

Q. Will it clear by very much?

A. Well, it is a standard dump. It does not clear by very much, but it will if care is used.

Q. It is definitely a fact that if the bridge is up and the gates are left on the cars will not clear?

A. No, they will not clear. They have been known to go over, but they actually do touch and they bend them in.

Q. You are a shifter on this particular level?

A. Yes.

Q. Is it not an accepted safety procedure for a man approaching an open dump to walk behind the bridge?

A. If the barricade is up the man will walk the track. If the barricade is down the man will walk behind the bridge.

Q. (Jury) Is it possible for a man to walk behind the bridge when the bridge is up?

A. Yes.

Q. (Bennett) When you went by the dump, the guards were up?

A. Yes.

Q. Do you think it is a safe practice to have two dump cars in between the flats, pushing?

A. There is really nothing wrong with it. Actually, I found out later there was another way of switching cars, as Mr. Allen pointed out, but I did not know that at the time.

Q. Is it possible to put the Granby cars in the track going to the station?

A. It is possible. However, it is not practical.

Q. In other words, you would be safer to push a car in blind than leave these two cars at the station?

A. There was no reason why that car could not have been pushed in blind if it were properly loaded. I told the driller to load it properly for that very reason.

Q. (Coroner) That is the usual practice in the mine?

A. The reason that the car was pushed ahead of the Granbies was that if it was the most convenient way to do it at the time. It is not general practise, if it could be done otherwise.

Q. (Bennett) Is it general practise to have diamond drillers to move their own equipment?

A. Yes.

Q. Using company motors?

A. Yes, when it is known that the driller is a competent motorman. This driller is a competent motorman. He has worked for me before.

Q. There must be a little conflicting evidence here. Mr. Hewett gave evidence that he had very little experience of tramping, nor of driving motors. This is tramping, isn't it? They were dumping cars. (R.C.M.P.) I do not believe that the evidence is conflicting, I think it is the interpretation that is conflicting.

(Bennett) Well, I am going by Mr. Hewett's evidence that he had no experience of dumping cars, and I would say that that is tramping.

(Hansen) To my knowledge, he was not going to dump cars. He was going to take down the bridge and pass the cars through without dumping them.

Q. (Jury) You say that a Granby car will clear the guard rails on the dump when the block is down. Have you at any time watched a Granby car go by and clear them?

A. Yes, when we built the dump block we tried it.

Q. Will it do it now?

A. (King) That was tried, and Granby cars will pass when the dump bridge is down.

Q. (Bennett) Did you see this?

A. (King) No.

Walter Jewitt, SWORN.

Q. You are Mine Foreman?

A. Yes. The statement I wish to make is that I instructed Mr. H. N. Curry, the Assistant Foreman at night, make that test. He reported that the Granby car will pass the dump bridge when the latter is lowered.

Q. (Bennett) Do you think it is a safe practice to push Granby cars in blind?

A. If there are two men on the train, one man on the motor, and his assistant or trammer or helper with the train it is a safe practice, if proper precautions are taken.

Q. (Jury) You say proper precaution. What do you mean?

A. General safety practice is to have the motorman on the motor and the second man ahead to give the signal.

Q. On the safe side, that is, the right side, away from the hole. It is said that the man cannot be seen from that side. I imagine they would signal by light?

(The Court was reminded that it had been brought out in the evidence that the signal was a verbal signal.)

Q. (Jury) I would like to know the proper procedure?

A. On very slow moving traffic, such as that, a verbal signal is O.K., combined with a light.

Q. There would not be any chance of the noise of the motor drowning out the sound of a verbal signal?

Robert Hansen recalled.

A. I believe that if the man spoke up quite well there would be no question. The motor makes very little noise.

Q. If the ventilator fan was going, would you still hear the man?

A. You are pretty well out of the area of the fan there.

Q. (King) Were the equipment, motor, cars and truck in reasonable working order?

A. Yes. That reminds me of one thing. When the pipe fitter's helper gave his evidence, he said that the could not watch forward because he was watching the trolley pole. He is quite right there. The wire is very thin there, and there is a standard broken, and he would have to watch very closely.

John William Garner, SWORN.

Q. You are a Safety Engineer?

A. Yes.

Q. On the morning of September 20th, you were underground at the 1800 level?

A. Part of the time.

Q. Would you just explain to the Court what happened there.

A. Due to the result of some work we had been doing, I had an idea that we were successful in recovering the body for which we were searching. I went to 1800, to the 68 chute, and there I found the body, just inside the fingers. We removed the body and brought it to the surface, where the doctor pronounced it dead.

Q. Did you know the deceased personally?

A. I had seen him around.

Edward James Phelan SWORN. (Constable, R.C.M.P.)

Gentlemen. On the 14th of September, that is, the following day after the deceased apparently fell into

this raise, in company with Mr. King of the Department of Mines, and Mr. LeBlank, of the Safety Department here, I went underground to the 1200 level. The motor, the two Granby cars and the hand car were still in front of the No. 68 raise. The leading Granby car was closing, and the following Granby was in process of opening. After looking over the terrain carefully, there was no indication as to what caused this accident, so the motor and the Granby were removed further on, to let us have a look at No. 68. We looked along the track and the ties, and there were no indications that a man had slipped. That is, it was greasy underfoot, but the usual marks a man might make as he slipped were not there. The only marks that were noticed can be seen in the front of this picture.

(Photograph shown to Jury)

It was taken in my presence yesterday. There was a smudge about six feet from the right hand side of the dump. It appeared to be a scuff, but that is all. There is no evidence that it was.

Q. That is the furthest end from the motor?

A. Yes. Also on the right hand side dump timbers there was the only mark that looked in any way new on the timbers.

(Photograph shown to Jury)

It has something of the appearance of finger marks, but again it is very difficult to say they were finger marks. Also on the same side of the raise, in the actual dump hole, there were a couple of scuffs noted. It one surmised that the deceased fell in at that corner of the dump, those marks may have been made by his foot or his knee. The particular composition on this side of that raise would lead one to believe that the marks were not made by rock, but were made by something more pliable. That is about all we have to offer.

Q. (Bennett) How far would you say that it was from the right hand side that the marks are?

A. There was one mark approximately six feet from the right hand side.

Q. In other words, he was about three quarters of the way across?

A. The dump is 25 feet wide.

Q. Would you say then, that the man did not walk into the dump?

A. In my opinion, I would not think so.

Q. Your opinion is formed by the smudges?

A. That and the fact that if the man walked into the dump one would presume there would be some marks on the lip, which there were not, apart from six feet from the right edge. It was not definite, it was just a smudge.

Q. There were no marks that he had been pushed by the train?

A. That is a rather hard question to answer. You are presuming that the man was standing on the tracks, and the train hit him. If he was hit hard enough, that is, with significant speed, it might lift him clear of the ground, but there were no reasonable indications, on the front end of the flat car, which would lead you to believe a man had been struck by the end. You must remember that these cars were all mucky, and if you just sat down on the corner of a car your clothing would leave an imprint. From all appearances the load on the hand car was quite solid.

Q. Was there any overhang on the front of the car?

A. No, the car was loaded with diamond drill equipment. It looks like a lot of lengths of pipe, and that ran flush with the front end of the car.

Harold Hewett recalled.

Q. Will you just look at this chart. When you had your load ready to push in, you were in the 1200 drift into the dump?

A. I was to the left with the motor. The first Granby was about here (indicated on the chart). The drift narrows, and you cannot pass once you get past this chute, with any ease.

Q. Flanagan was in front of the train when he gave the signal to go ahead dlow?

A. To my knowledge, yes. I could not see him. I merely saw a reflection of the light on the wall and to the left.

The Coroner addressed the Jury

The Jury retired at 3.10 p.m., under the direction of the Coroner's Office, and the Court was declared adjourned.

The Court was reconvened at 3.45 p.m. in the Conference Room, and was declared in order in the name of His Majesty the King.

The Coroner asked the Jury if they had reached a verdict, and asked the Foreman to read the verdict.

VERDICT

We the Jury assembled at Britannia Beach on September 20, 1951, to inquire into the death of Kenneth Flanagan.

We find that Kenneth A. Flanagan came to his death at approximately 12.15 p.m. on September 13, 1951, while working on the 1200 foot level on the property of the Britannia Mining and Smelting Company limited at Britannia Beach, B.C.

We find that death was accidental, caused by falling down 12/68 Raise. We recommend that only competent company employees operate as train crew. We further recommend that solid doors be placed on all dumps, such doors to be operated from both sides of the dump.

Signed. McDonnell Knight, Foreman
Peter Bartel
Daniel Frank
James Downie
Ronald S. Baverstodk
W. Cadenhead

COURT ADJOURNED ? P.M.

Britannia Beach, B.C.
September 20th, 1951

We the Jury assembled at Britannia Beach on September 20th, 1951
to inquire into the death of Kenneth A Flannigan.

We find that Kenneth A. Flannigan came to his death at approx-
imately 12:15 p.m. on September 13th, 1952 while working on the
1200 foot level on the property of the Britannia Mining and
Smelting Company Limited at Britannia Beach, B.C.

We find that death was accidental caused by falling down
12/68 Raise.

We recommend that only competent Company employees operate a
train crew.

We further recommend that solid doors be placed on all dumps,
with doors to be operated from both sides of the dump.

September 24th, 1951

Mr. H.H. Sharp, President,
Howe Sound Company,
NEW YORK CITY, 19, N.Y.

RE: K. Flanagan - Fatal Accident of
September 13th to Boyles Bros.
Diamond Drill Helper.

Dear Mr. Sharp:

Further to our letter of September 17th dealing with the above matter, we wish to report that through Monday, Tuesday and Wednesday efforts were continued to obtain the remains of the victim, by brushing the Raise down from the 1200 Level to the 1800 Level with chain flails and water. On Wednesday we finally reverted to dumping five barrels instantaneously down the 12-68 dump. At 3:00 A.M. Thursday morning the remains were washed to the 12 68 Control Chute, and after careful drawing, were assembled and transported to the Mine Warehouse.

On Wednesday the Mine Inspector, our local R.C.M.P. Officer and our local Coroner were investigating the possibility of holding an Inquest without the body, and had to obtain permission from the Provincial Attorney General's Department to proceed.

With the finding of the body on Thursday morning, preliminary arrangements for an Inquest had already been made, and the Inquest was started after lunch on Thursday. The brother in law of the victim was in attendance at the Inquest. I will receive a transcript of the Inquest proceedings some time this week, but I have attached hereto the verdict of the Jury. Their findings were about what one would expect in this accident, and established instantaneous accidental death. Their second recommendation to have solid doors placed on all dumps, and such doors to be mechanically operated, will be an expensive installation if the Mine Inspector decides we must fulfill the Jury's recommendations in its' entirety.

The relief in our mine crew was very apparent on Friday and things are now returning to normal.

Sincerely yours

ECR: JS
Enclosure

BRITANNIA MINING AND SMELTING CO. LIMITED

BRITANNIA BEACH. B. C.

NEW YORK OFFICE
730 FIFTH AVENUE

NEW YORK 19, N.Y. September 25, 1951

Mr. E.C. Roper, Manager,
Britannia mining and Smelting Co., Limited,
Britannia Beach, B.C.

Dear Mr Roper:

I now refer specifically to your letter of September 17th in which you advised of the fatal accident to Mr. K. Flanagan which occurred on September 13th.

I have deferred writing in regard to this matter as I know, particularly from our telephone conversation, the extent of the strain you were all undergoing in attempting to recover the body. It is a relief to note from your last Thursday's wire that the body had finally been recovered and that the inquest was being held. We shall, of course, be more or less on tenterhooks until we hear the result of the inquest.

I would presume, from what you wrote, that a great deal will evolve around why the guards around the 68 Dump had been removed. The extent of human failure in matters of this sort becomes more and more evident as each accident hits us. As a Company we can do everything which can be thought of to promote safety, and can preach and teach safety to our men at all times, but until they all become cooperative and safety conscious, slips will occur and workmen will be killed.

I hope by this time that you have this whole unfortunate affair behind you.

Yours sincerely

HHS: MP

Woodfibre, B.C.
Sept. 26/51

Mr. R.M. Alexander
Personnel Officer
Britannia Mining & Smelting Co.,
Britannia Beach, B.C.

Dear Mr. Alexander:

We would appreciate it very much if you would convey our sincere thanks and gratitude to all persons at Britannia Beach and Britannia Mines, who following the fatal accident, Sept. 13th, gave unstintingly of time and effort, many endangering their own lives.

Words cannot express our appreciation of the efforts and thoughtfulness of the people of Britannia Beach and Britannia Mines.

Yours sincerely

Mr. & Mrs. M.J. Flannigan
Mr. & Mrs. J.D. D????