

REPORT OF MIDWEST MINE EXPLOSION, OCTOBER 7, 1923

The Midwest mine is situated one and one-half miles east of Palisade, Mesa county, Colorado, on the Denver & Rio Grande Western Railroad and is operated by Robert T. Scott under lease. The mine is a drift mine opening. The main entries are advanced about 1,700 feet in an easterly direction with raise entries running in a southerly direction and called the 3rd and 4th South. Those entries are about 800 feet in length. The mine was ventilated by a small electric exhaust fan located in one of the west openings to surface called room 10 and was installed since July 14th, 1923, the date of the last inspection by Deputy State Inspector of Coal Mines, Jas. W. Graham. The coal was mined by electric cutting machines. Robert Scott acted in the capacity of Superintendent, Mine Foreman and Fire Boss.

James Benda, a tracklayer, alone escaped and according to his testimony, Robert T. Scott, accompanied by J. R. Keys, W. B. Keys, Harvey Keys, R. B. Keys, George McKee, and James Benda, entered the mine about 7:15 a. m. to cut some coal and lay some track. They went as far as the entrance of No. 10 room and stopped. Scott started the fan, ran it for fifteen minutes, and then stopped it. Accompanied by one of the Keys, Scott proceeded with a Safety Lamp, his companion having no lamp, to examine the raise workings. Before reaching face, Scott gave orders to one of the men left at room 10 to start the fan and run it for ten minutes. At this moment Benda asked Scott what he should do and was told to go down the raise entry and get ties to lay a switch near face of raise entries. The fan was started and just as Benda started down to get ties one of the Keys sitting at room 10 got up and with an open light started to the face of raise entries. Benda cautioned him, told him he should not go up there with an open light. Keys answered, "I know what I am doing." Benda proceeded down the entry to get the ties, while he was piling them up the explosion occurred. This was about 10:40 a. m. He also testified that the fan was not run continuously and that it was not running when they entered the mine that morning and that up until ten days prior to the explosion the fan had been operated as a force fan.

I arrived in Palisade on the afternoon of October 8th, 1923, and that evening, accompanied by Mr. Munn of the U. S. Bureau of Mines, E. R. Davis, Special Investigator of Fatal Accidents for the State Coal Mine Inspection Department, Jas. W. Graham, Deputy State Inspector of Coal Mines, and several others entered the mine and examined all the raise workings. No explosive gas was found on this examination. The following afternoon we again examined this section of the mine and also the main entries in the main back entry from which the air had been cut off since the explosion, and found half inch cap at the face, three feet from the

roof. The safety Lamp used by Scott was found and upon testing it was found to be in safe condition. We failed to find any of the carbide lamps used by the workmen.

Based upon the testimony of James Benda and personal observations, I am of the opinion that the mine was not examined on the morning of October 7th, 1923, prior to the men entering and that Scott undertook to remove a body of explosive gas while the men were in the mine and in doing so he overlooked or forgot the fact that the fan had been changed from a force to an exhaust, thereby changing room number 10 from the main intake to the main return, and that the deceased came to their death by this gas coming in contact with an open light. Coal dust took some part, therefore the explosion is classed as a gas and dust explosion and that Robert T. Scott is held responsible for the explosion because of violating the State Mining Laws.