

24. What addition did you make to the £4 10s., in addition to the overtime?—I would be making £4 10s. or £4 12s., roughly speaking.

25. So that the alteration was to fix a rate to avoid the overtime question?—Yes, that is so.

26. Did you work on the Sunday?—Yes.

27. Were you paid for Sundays at the 13s. a day rate?—I do not remember.

28. Did you get overtime?—I really could not answer that, but to the best of my knowledge and belief I do not think so. I was supposed to be on duty so long as the trains were running.

29. Is there any one here who can verify the facts as to you having held the position of locomotive foreman for seven years?—Yes; every one almost in the Locomotive Department.

30. Then, has it been determined that locomotive foremen are entitled to compensation?—I could not say: I believe so; and, in fact, the Commissioners seem to begin with that as a first step.

31. Which?—A foremanship; as being an officer.

32. You got compensation for how long?—Two years and three hundred and two days. Compensation seems to have ceased from the day the Commissioners took office.

32. *The Chairman.*] What was that circular—there was a circular, was there not—sent to all the railway employes?—Yes.

34. That they were either to leave and take compensation, or accept service under the new system?—Yes.

*Mr. Meredith:* They lost their right by continuing in office?

*The Chairman:* Yes.

*Mr. Meredith:* Then how did this gentleman get his: did he continue?

*The Chairman:* Yes; he preferred to do so.

*Mr. Meredith:* But when he retired, how is it he received compensation?

*The Chairman:* That was for the time previous to taking office.

*Mr. Ross:* The duties I was called upon to perform from the first were such as no reasonable-minded man would ever expect an ordinary day-wages man to carry out: they were in fact the whole charge of everything—doing everything in traffic except stationmaster's duties. I had to see to the running, and to see that, if possible, the traffic got through at all times. There were a great many difficulties in those days, and all of them I had to overcome, if possible.

35. *The Chairman:* You have no cause of complaint against the Railway Commissioners from the time of their taking office?—No, sir; no complaint whatever.

36. I understand that you make your claim not as fireman or driver, but as a locomotive foreman for the whole of the time?—That is my contention.

*The Chairman:* It seems to me now that we have had this case before us we have gone as far as we can get just at present. We had better now postpone the further consideration of the matter until we can get one of the Commissioners present.

*Mr. Meredith:* I would like to ask one question. He has stated that he was compelled to work seven days a week.

*The Chairman:* I would suggest, Mr. Meredith, that you wait until we can have the Commissioner here.

*Mr. Joyce:* I would suggest that it would be as well if Mr. Ross obtained some corroborative testimony about the appointment when Mr. Ashcroft was in office.

*Mr. Ross:* I will be most happy to do so.

*The Chairman:* If convenient this afternoon you might come up to the House and see me, Mr. Ross, about the matter, and then I shall be able to point out to you what should be done. At any time after half-past two.

*Mr. Ross:* Very well, sir.

WEDNESDAY, 28TH SEPTEMBER, 1892.

Mr. J. P. MAXWELL, Railway Commissioner, examined.

*Mr. Maxwell:* I think the Committee seems to have elicited the position of the case from the examination of Mr. Ross. Mr. Ross was leading driver at Cross Creek for a great many years, and was practically a local foreman. He was then on 13s. a day as rate of pay, and would receive extra pay for overtime work. In 1886 he was appointed running-shed foreman. The question of his compensation, as you are aware, has been decided upon as accepting only his service from 1886 as entitling him to compensation, it being held that his previous service was not that of a permanent officer. I do not know that I have anything more to say than that.

*Mr. Ross:* Mr. Maxwell has stated the circumstances as known to himself through his officers. I have no questions to ask Mr. Maxwell. I have a kindly remembrance of the Commissioners, and have nothing to say to Mr. Maxwell except to express my gratitude. I simply came here on what I think is a ground of equity and justice, having what I deem to be ample testimony in writing from the officers then over me. I have no diffidence in bringing the matter before the Committee as an act of justice, and wish to see it thoroughly investigated as at present. In 1879 I was practically engaged by Mr. George Ashcroft as foreman of the Incline at 12s. a day, being transferred from Nelson to Cross Creek. I was placed in charge there by Mr. Ashcroft and Mr. Blackett, Engineer-in-Chief for the colony. At that time things were at such a low ebb that the section was all but closed, the Incline being looked upon as a decided failure. At that very time, out of the four Fell engines intended for the incline-work, only one was fit to go up the hill, the other three being disabled. To illustrate matters as they stood, I may say that the only instructions I received from Mr. Ashcroft and the Engineer-in-Chief, Mr. Blackett, were: "You see how matters stand. In the course of a day or two you will know as much about it as any one can tell you."