

1899.

NEW ZEALAND.

RAILWAYS COMMITTEE

(REPORT OF) ON THE PETITION OF CHARLES HENRY CARTER, WITH EVIDENCE, MINUTES OF PROCEEDINGS, AND APPENDIX.

Brought up on the 3rd October, 1899, and ordered to be printed.

REPORT.

No. 177.—Petition of CHARLES HENRY CARTER, of Christchurch.

PETITIONER, who was tried for manslaughter in connection with the Rakaia railway accident, and found "Not guilty," prays that he may receive compensation for the expenses he has been put to in defending himself.

I am directed to report that, after full investigation and careful consideration of this case, the Committee have no recommendation to make.

3rd October, 1899.

WILLIAM W. TANNER, Chairman.

PETITION.

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled.

THE humble petition of CHARLES HENRY CARTER, of Christchurch, Engine-driver, humbly sheweth,—

1. That your petitioner was employed on the Government railways of New Zealand for a period of over twenty-four years, and for nearly all that period he was an engine-driver.

2. That an accident happened on 11th March last, by which the engine he was driving ran into another train, and, as a result of an inquiry by a Royal Commission, he has been dismissed.

3. That his real trial as to whether he was to blame was held in the Supreme Court, Christchurch, in May last, when the jury acquitted him.

4. That when the Royal Commissioners visited Canterbury last month he waited upon them to know whether he should require counsel to watch his case, and the Chairman replied, No, as he would only be an ordinary witness.

5. That he was only present one day when the Commissioners took evidence; was not allowed, except through the Chairman, to put questions to witnesses, but, from his inexperience and want of education, he was not able to get out in evidence the real cause of the accident—namely, imperfect air-brakes.

6. That on the same class of engines which he drove on the night, 11th March, a similar defect was manifested at Sawyer's Bay about a month prior to 11th March; also at Sefton since 11th March, and at Chain Hill, Dunedin Section. The drivers of those engines were Newlyn, Gardener, and Graham. The class of engines were known as the latest American type, and their air-brakes were of so complicated a character that, in the case of Graham running past the first distant signal, the house signal, and passed the Sawyer's Bay Station round to the home signal on the south side of the station, the air-brakes had acted all right from Oamaru on all down-grades until he was at the Upper Port Chalmers Station, when the brakes were applied, but failed to act, and but for the prompt action of the Sawyer's Bay Stationmaster in shunting Graham's engine back on to the same line a serious accident would have occurred to a train then overdue from Dunedin.

7. That in January last your petitioner complained to the Superintendent Engineer for Canterbury that his tender-brake would not act when applied, who asked him to work the levers while he looked to see if the brake applied, but it did not. We then changed places; he worked the levers, and your petitioner stood by watching to see if the brakes went on, but they did not.