

A. L. Beattie, Locomotive Engineer. 14/3/99." I may say, Mr. Chairman, that when I called upon Carter for this statement I told him I was going to take it down, and that when I had taken it down I should call upon him to sign it, and before signing it it would be read over to him. He would have an opportunity of altering anything in it, but when he had got it as he thought right I should want him to sign it. Well, this statement was signed in my presence, witnessed by myself, and the evidence was taken down in the hearing of the locomotive foreman. Mr. Chairman, you have heard that statement read, and I do not think I need say very much in regard to the explanation; that explanation, as made by Carter at that time, was absolutely true. I am perfectly convinced, from my own knowledge (from then to the present moment), that the explanation given there is the absolute truth. I may say that, about a week or ten days after, Carter came to me and said that he had been thinking the matter over—in fact, I think he said it had been suggested to him—and he had come to the conclusion that perhaps his brake-blocks were not quite right, and he proposed to query those brake-blocks. I told him he was quite at liberty to question the brake-blocks, but at the same time they were perfectly right, and I thought that he was simply wasting time, and had far better stick to the truth. That question of brake-blocks being faulty was abandoned. Shortly before the Supreme Court trial it came to my knowledge a fresh defence was started—that the air-brake had failed temporarily and then recovered itself in a mysterious manner at the same time. It has had no repairs from the time it was put on the engine to the present moment—running a daily service ever since. Speaking as an expert, I may say there is not the slightest ground for believing that that air-brake failed in any shape or form. The possibilities of that brake failing are extremely remote. The Board of Trade returns show that out of 90,000,000 passenger-train miles—all trains fitted with the Westinghouse brakes—there were only four failures.

60. *Mr. Carter.*] Was that the Westinghouse brake?—Yes, the continuous brake throughout the train.

61. *Mr. Graham.*] This is in a single brake?—That is so. As I say, 90,000,000 miles were run with four failures, which is wide margin. The brake was examined in Christchurch immediately after arrival and found to be in perfect order. The real explanation of Carter's having entered the Rakaia Station without permission to enter is due to the fact that between Chertsey and Rakaia, a distance of some five miles and a quarter, Carter ran at an excessive rate of speed, and, in approaching the latter station, had not his train under proper control, in terms of instruction of page 6 of "Appendix to Working Time-table." The worse the condition of the weather the more need for the exercise of greater care. The accident was due to Engineman Carter entering Rakaia Station without permission, not only did he not receive a signal to enter the station, but he, on the contrary, received a danger-signal to stop outside. It was his duty to have had his train under such control as to have enabled him to obey that signal. It was a falling grade on which he was travelling, and he had a gale of wind and a rain-storm behind him; on a night such as that a driver would have to exercise extra care in order to judge the speed at which he was travelling. A man who was not looking out carefully and judging carefully might think he was travelling slower than he was. It was established in evidence that the speed at which that train was running between Chertsey and Rakaia was something like forty-five miles an hour in a distance of five miles and a quarter, on a down grade and on a bad night. Although the engine had the Westinghouse brake, there was no reason why Carter should not have controlled that train with his hand-brake, and a good many engines have to be so controlled. I might instance the case of the Class T engines of similar construction that have tender hand-brakes only, and no difficulty is experienced in controlling trains with them in the Christchurch District. These engines frequently haul eighty or ninety loaded wagons between Lyttelton and Christchurch. It is simply a question of applying the brake in time. If you had the best brake known to the railway world and did not put it on in time, you would have an accident. In this particular case Carter was approaching the Rakaia Railway-station at too high a rate of speed, and was unable to control his train after he found out he was so close to it. In order to support that theory, I might read a statement from the Car and Wagon Inspector for the Christchurch District. It came to my knowledge that Mr. Paterson had had some conversation with Carter. This is Mr. Paterson's letter. He says, "Further to our conversation this morning, I have to state that in conversation with Carter *re* Rakaia accident, he (Carter) told me he had missed the level-crossing between Chertsey and Rakaia, which was the only land-mark he had to go by at night, and that he had no idea he was so close to Rakaia until it was too late, and, seeing what was likely to happen, he did all mortal man could do to avoid collision, but he received no assistance—that is, from the back. This may not be exact words, but substance is same.—(Signed) L. PATERSON, Car and Wagon Inspector." That bears out the contention I have placed before the Committee: there was no reason for supposing this Westinghouse brake had failed—no reason why the train should have entered the Rakaia Railway-station without permission. Carter was in possession of the rules. There is an annual examination in rules their foreman puts them through. He satisfies himself that they are thoroughly conversant and proficient in their work, and after he is so satisfied he sends in a certificate, which is duly filed and which I have. Rule No. 86 says, "Where fixed signals are not provided, trains will be signalled by hand-signals. A red flag, or in the absence of a red flag, both arms raised above the head by day, or a red light at night, is an order to stop. Where this signal is given at a station or stopping-place the train must come to a stand outside the station limits. A green flag moved slowly sideways across the line, or one arm raised above the head by day, or a green light moved slowly sideways across the line by night, is an order to stop at the station or stopping-place. A steady green flag, or one arm held horizontally across the line by day, or a steady green light by night, is an order to go on without stopping at the station or stopping-place." Now I might point out that many of our New Zealand stations