

65. *Mr. Taylor.*] Was the fireman examined in connection with the Sawyer's Bay affair or only the engine-driver?—Only the engine-driver, I think. These are the reports: "14th December, 1898.—Engine-man A. Graham reported as under: 'I beg to report overrunning points at south end at Sawyer's Bay when bringing engines U 282 and 287 from Christchurch. No damage done and no delay.' 'Re the above, I beg to further state, in addition to my report of 14th December, 1898, that the only load I had on was one American U class engine, running dead; the air-pressure was down to 40 lb., as I felt sure with that pressure that the tender-brake was sufficient power to enable me to stop at Sawyer's Bay, as I was only running about eighteen or twenty miles an hour. As I could see there was no immediate danger ahead I took no further steps to stop except applying the sand. I could have stopped easily before fouling points by reversing engine had there been any danger. Brakes worked well all the way down, and I felt sure that the 40-lb. pressure with tender-brake would have pulled them up easily at Sawyer's Bay, as I could have stopped at another part of the bank with 50 of air and tender-brake.'" I may further state, Sir, that this Fireman Abbot first ran on that type of engine, with Westinghouse brake, on one particular day. His knowledge of Westinghouse brakes is simply confined to what he saw on that particular day (his first trip).

66. It did not come out in the inquiry as to how far he overran the platform?—I understood he ran past the platform its length.

67. Would it be wrong in saying he ran 34 chains?—I could not tell you without measuring, but am not prepared to say. I know that he did run past the platform.

68. Do you know whether there was a train timed to be at the platform at the time he ran past?—No, there was not.

69. Is this man wrong in saying the 1.45 train was booked in?—There were signals both north and south. The Stationmaster would keep signal against the other; of course, there would also be the block.

70. What was the punishment meted out to the driver for that?—A fine of £1.

71. Was he recommended for suspension from driving?—Not by me.

72. Was he not recommended to be suspended from driving for six months?—He was recommended to be suspended for the offence.

73. That recommendation was not carried out?—No.

74. And the fine of £1 was substituted?—

75. Did Gardiner, on the Sefton line, report the failure of his brake?—No, not at the time.

76. Was he punished for not reporting it? Have you the papers there?—This was Gardiner's report. The thing was brought up first at the Royal Commission at the instance of Driver Dawson. He was then called upon for his explanation which was—viz: "With regard to the alleged over-running of the platforms at Styx and Sefton, brought forward to-day by J. Dawson, Sir: I beg to report for your information the running rather far with my train at the above platforms on the 19th December. The reason that this was not reported at the time: I did not consider it necessary as I did not run the van from the platform in either case, and, Sir, I would also like you to see Mr. Burnett with regard to this, as he rode with me on the above day from Papanui to Amberley." Mr. Burnett's minute on the above is as follows: "Locomotive Engineer, Addington.—I remember travelling on Driver Gardiner's engine on the 19th December. At two stations, Styx and Sefton, I think he slightly overran the platforms, the van being stopped opposite the north end of the platform. I think Gardiner told me it was his first trip with one of the new engines, and that he had not got properly into the way of working the brake. There was no overrunning sufficient to need reporting.—J. BURNETT, District Engineer."

77. Did you not say afterwards Gardiner declared that the roughness of the brake was the cause of his overrunning? Mr. Burnett suggests it was inexperience. Does not Gardiner suggest there was some roughness affecting the brake?—This is his evidence before Royal Commission: "I remember running past those two stations. It was not in consequence of the air-brake failing to act; but on those occasions—it happened on the same day—it was the second day the Baldwin ran. It was the first day she had run with a mixed train, and the brake was not in working order, and was not taken up as it should be; and it was also my fault to a certain extent. It was not due to any failure of the air-brake."

78. You said there is a speed up to forty-five miles permitted over the portions of the line that are particularly safe and being strengthened?—Yes.

79. Has the line between Rakaia and Chertsey been strengthened?—It is in first-class condition.

80. Under certain circumstances a speed of forty-five miles would not be considered wrong. Is there any evidence to show that Carter entered Rakaia at forty-five miles an hour?—No.

81. If you were running forty-five miles an hour—except on an occasion—when the weather was what it was on that particular night, would it be regarded as reckless driving?—This express speed applies to the express trains.

82. Is not the excess of speed connected with trains running to time-table?—This man was running to a time-table.

83. The mere fact of his having started from Ashburton not at the time in the table, would not that account for his running?—Not on a night like that.

84. What are the usual causes for a man exceeding the natural speed?—The usual cause is, if the business along the road is heavy on certain portions of the road he is allowed to run up to a higher rate of speed in order to pick up so much as can be safely done of time lost.

85. And if he starts late from Ashburton, would not that also be a reason for running at additional speed to try and make up the time?—It rests with a man's judgment, but not on a night like that between Chertsey and Rakaia.