

Prendergast: I have the rule-book. I know Rule 205. Complying with that rule will attract the driver's attention.

Baume: I am speaking of the case of a whole train made up at a station. A few trucks added to a train I had brought in I would not call "making up a train." As guard in charge I would be responsible for the marshalling, and would have seen that the coupling is done, and would not have to examine it again before he signalled to apply brakes in the usual way. The usual test is to signal the driver to apply brakes. I see the brake go on my van. I signal for release of brakes; see the brakes go off. That is the practice and it is regarded as sufficient. You satisfy yourself that the Westinghouse must be coupled owing to its acting on the van. That proves that the Westinghouse must be connected all through and that all cocks are down.

Court: I have received the Instructions to Trainmen. I have not received any instructions modifying them.

Baume: If the guard has been looking after the shunting he must be satisfied that his train is properly coupled. I never knew Westinghouse to fail in working it. I have no reason to believe the Westinghouse would not hold a train on an incline of 1 in 35. It would depend on the time, but I have never had experience of the Westinghouse on an incline for a quarter of an hour, and am unable to express an opinion as to whether it would hold the train if the train is cut off from the engine. It is a good brake, but beyond that I cannot go. I cannot express an opinion as to how long the brake would stop on without the engine. Properly applied I do not know the length of time it might stop on. I am not prepared to say it would not stop on for a quarter of an hour.

R. HAMPTON.

Taken and sworn at Auckland, this 29th day of August, 1907, before me—CHAS. C. KETTLE, D.J.

Inquiry adjourned until 10 a.m. on the 30th August.

FRIDAY, 30TH AUGUST, 1907.

This deponent, JOSEPH MACK, being sworn, saith:—

I am a railway guard. I produce copy of letter said to have been written by Mr. Edwards, General Secretary of Amalgamated Society of Railway Servants. (Exhibit No. 26.) He resides in Wellington. The letter was written to secretary of Canterbury Branch of Amalgamated Society of Railway Servants. I obtained this copy myself out of Mr. Edwards's office while I was in Wellington. The Railway officers have never, to my knowledge, received an official instruction from Railway Department to the same effect. The guards in Canterbury questioned the necessity of making a detailed examination of the train after every shunt, and unhooking of a vehicle, &c. No direct communication from General Manager has been distributed to the guards. The General Manager wrote to Mr. Edwards. I saw the original of this letter but not the General Manager's letter. I am chairman of Frankton Junction Branch of Amalgamated Society of Railway Servants.

Prendergast: It was always considered by the guards that it was not necessary to repeat the tests upon a train that had not been broken since it commenced its journey. If a train had been broken it was considered sufficient to test the brake from the van. If I dropped a vehicle off the train I would do the recoupling myself. I would trust to a porter to do the coupling, and then I would have the brake tested. If the porter was competent to do the shunting he would be competent to do the coupling, and I would trust to whoever did the shunting. This letter has practically not made any difference in the tests. I know Rule 186. I do not suggest that that rule dispenses with the necessity for the guard to see the train is in proper order.

Court: I know the Instructions to Trainmen. Instruction at bottom of page 4 only applies to a train leaving a terminus—not to trains interfered with on the route—not where a vehicle has been put off or one attached. I know the guard's van and the passenger-carriage came right through to Putaruru from Morrinsville. I do not know how many trucks were uncoupled, but a number of them were. The engines were uncoupled, and assuming the van of second train was uncoupled I say that was not a reconstructed train that left Putaruru. I say that instruction (page 4) is limited by the instruction to guards (page 9). The guard has to see before the train starts at terminal station that the train is properly coupled. I would call the reconstruction of a train where the engine picks up vehicles here, there, and everywhere, and the new vehicles are always examined by the guard, and they do examine the vehicles and pipes as far as possible.

Baume: I am a first-class guard of twenty-two years' experience. I have been porter, shunter, brakesman, and guard, and I think I have a clean record. I have had about sixteen years' experience of running trains. I am at present running trains on main line, where there are heavy grades, sharp curves, and the bulk of the line unfenced. On that particular section the brake-power and its invulnerability is an important factor, and I have to place implicit reliance and confidence in my brake-power. I have had considerable experience of Westinghouse brake. I know the Ngatira bank where accident happened. From my experience I say that a train could be safely detached from the engine and left on that incline held only by Westinghouse brake if the brake is in good order. I do not consider the putting-down of hand-brakes in a case such as the one under consideration as absolutely necessary; it is simply making assurance doubly sure. I do not read the instructions to put down hand-brakes to mean to put down hand-brakes on all the carriages. In putting down three wagon-brakes and one van-brake I consider Taylor put on sufficient hand-brakes in addition to the Westinghouse brake, knowing that he was going 60 or 70 yards away. I consider he left his train safe. I know Taylor and Cooper. From a traffic man's point of view, and as one who has worked with both men, I consider both men thoroughly trustworthy to take charge of any train. That is the reputation of both men. I think they used