

When it reached the 48-mile peg, or thereabouts, the second engine—i.e., the engine next to the front van—"went off her beat," and the engine-drivers (Taylor and Cooper) considered it necessary to stop the train to enable them to examine the engine and ascertain if possible what was the matter with the machinery. The Westinghouse brake was accordingly applied, the train was brought to a standstill, and they proceeded to examine the engine. Being unable to discover any defect in the machinery, they, after consultation, decided to detach the engines from the train and run them slowly some yards along the line so as to be able to observe the action of the machinery while the engine was in motion. Having so determined, they, according to the evidence, proceeded to recharge the reservoirs and tubes, and again applied the Westinghouse brake to the train before uncoupling the engines (see evidence of the engine-drivers and firemen). Having done this, they, apparently believing that the Westinghouse brake was acting properly throughout the train and would hold the train without the aid of the engines and hand-brakes, without warning or communicating with the guard and obtaining his consent and directions, and without applying any hand-brakes, uncoupled the engines, and left the train on the incline. In so doing, they, in my opinion, committed a breach of—

- (a.) The instructions *re* "working of trains on ascending and descending steep inclines" (see foot of page 6 of Appendix to Working Time-tables, 1898, Exhibit No. 2; and see also foot of page 24;
- (b.) Rule 231, at page 91 of the Rules and Regulations (1907 edition) to be observed by members of the New Zealand Government Railways Service (Exhibit No. 1); and
- (c.) Rule 269, (a), at page 106 of said Exhibit No. 1.

Immediately after uncoupling the engines from the train one of the engine-drivers (Taylor) put down only three truck hand-brakes next to the front van, and Engine-driver Cooper went into the van at the head of the train and applied the hand-brake. Having done this they returned to their engines and instructed the firemen to give the engines a little steam and run them slowly along the line while they walked alongside to observe the movements of the machinery, &c. This was accordingly done, and, when they had proceeded some 50 or 60 yards, they saw that the train was moving down the incline. They at once got on their engines and went in pursuit, but before they could overtake the train it gathered speed, rushed down the incline past Ngatira, and finally left the rails as stated in the evidence (see plan, Exhibit No. 6). I am satisfied that in endeavouring to overtake and rescue the train the engine-drivers did all that could be reasonably expected of them.

It is clear that when the engines left the train on the incline it was not sufficiently braked. Care was not taken, before the engines were detached, to apply a sufficient number of hand-brakes to prevent the possibility of the train breaking away.

The condition of the brake-blocks on the vehicles when examined after the accident, and the absence of any signs, on the wheels, of skidding, favours the inference that the blocks were not properly gripping the wheels when the train got away; and, further, that, if the Westinghouse brake was properly applied by Engine-driver Taylor before the engines were detached and it did not operate on the whole train, it is not improbable that its failure to so operate was due to the fact that a cock at or near the head of the train had been closed for some considerable time, and that consequently the air in the tubes and reservoirs on the vehicles had completely leaked out, and left the brakes on the train inoperative at the time the engines were detached. If the guard had been consulted by the engine-drivers, and if a careful brake-test had been made by them before the engines were detached, all such omissions or defects, if they existed, would no doubt have been immediately detected and remedied, and the train also thoroughly secured with the hand-brakes before the engines were detached.

I have, &c.,

The Right Hon. the Minister for Railways.

CHAS. C. KETTLE.

SIR,—

Head Office, Wellington, 20th August, 1907.

With reference to the accident that occurred on the Rotorua line on the 3rd instant, I have the honour to inform you that it has been decided to hold an inquiry into the circumstances, to ascertain, if possible, the cause which led to the accident. In pursuance, therefore, of the powers contained in section 48 of "The Government Railways Act, 1900," I hereby appoint you as the person to hold the inquiry, and shall be glad if you will forward me a report setting out your conclusions as to the cause of the accident as early as possible after the inquiry is finished.

I have, &c.,

J. G. WARD,

Minister for Railways.

District Judge Kettle, Auckland.