

cause of accident. Next day I went to scene of accident, and my attention was not drawn to anything in particular. It is the duty of the guards to see that sprags are carried on the train.

T. W. WAITE.

Taken and sworn at Auckland, this 26th day of August, 1907, before me—CHAS. C. KETTLE, D.J.

This deponent, AUGUSTUS VAN ZANDT MACDONALD, being sworn, saith:—

I am Locomotive Engineer, Auckland Section of New Zealand Railways. I know the engine T 102, driven by Cooper on night of 3rd August. The engine arrived in Auckland on the 17th June, 1907. It was put together here under my supervision. It was handed over to Locomotive Foreman on the 1st July to put on the track. It was then in good running-order. It was capable of hauling various loads according to grades. It could haul 140 to 145 tons on a grade of 1 in 36 to 1 in 40 in the night-time on slippery rails. I consider that would be a fair load for that engine. I had not received any complaint as to the running of that engine up to time of accident. She was last in the workshops on the 26th July. She then required new firebars. Apart from that there had been no complaint. I know the engine driven by Taylor. She had been running many years on Auckland Section—ten or twelve years to my knowledge. Her maximum load was 100 tons on a grade of 1 in 36 to 1 in 40. So far as I know, she was in good running-order. I know the incline. Nine tons is a fair allowance to make for trucks containing light cattle. The weight of the load would not be over 226 tons. I took the tare of the trucks and added to it the weight of the freight, and the total weight was 226 tons—19 tons short of maximum load. Engine T 102 was used after the accident between Putaruru and Frankton. It was not brought in for repairs until several days after the accident. No report was made to me about the engine after the accident. I am the proper person to report to. The Locomotive Foreman would report to me. He would receive a report from the engine-driver. Since the 3rd August an accident happened to engine. That was at Frankton five or six days after accident. The valve-buckle broke. Leydon was in charge of her then, and he reported to Foreman who reported it to me. The engine is in now for repairs. I did not examine the defect myself. The Railway Shops Manager would examine it. It was reported to me as an old flaw. The Locomotive Foreman so reported to me. Had that flaw existed on night of accident it would not account for the accident. Had it existed then it would have gone worse. It was a recent defect. The Carriage and Wagon Inspector (Simpson) would make a minute examination of the wreck. I have not yet a detailed report from him as to the wreckage. It would be his duty to make a minute examination of the wreckage and brakes and cocks, &c., before the removal of the wreckage. The report would come to me in due time. I called upon him to prepare his report for this inquiry, and to report to me specially as to the condition of the brakes and cocks, &c. The Workshops Manager (Richardson) could also give evidence as to the state of wreckage when it arrived here. Three wagons came down on their own wheels. I examined those vehicles at Newmarket yard. A good many of the Westinghouse brakes (combined sets) were in good condition, and serviceable. I saw nothing which would give a clue as to what happened to the brakes. The engines, trucks, and vans on the train in question were each fitted with Westinghouse brakes in good condition. There is a constant system of inspection and supervision. There are train-examiners under the car, and a Wagon Inspector whose duty it is at several points to inspect the brakes. There are three or four at Auckland, and others at different stations. They test brakes before the trains leave at different stations. It takes constant care and attention of competent men. They are all competent men. I have been in the service ever since Westinghouse brake was introduced. Records would be kept of any failures of Westinghouse brakes. Sometimes we would get reports of a brake going on when it was not wanted to. I have an intimate acquaintance with the brake. Assuming the brakes were fully charged and the engine separated from the train, it would probably take an hour for the air to leak out. I have seen the experiment tried. A train moving along must be constantly pumping air into the brake to keep it charged. Supposing valves and cylinders, absolutely empty, the engine could pump them full in about a minute supposing it to be a long train. Once started the pump would do it automatically. It is the driver's duty to keep the air-brake charged, always ready for use, whether it is on an up or down grade. Supposing cock between engine-tender and train was closed the engine-driver would not know of the block unless he released. He would see the pressure in his own engine and would assume that was the pressure throughout the train. The guard would know from the dial in the van whether there was 10 lb. or 70 lb. pressure. If the pressure was below 70 lb. the brakes would be on. There is a certain amount of leakage, but the brakes would remain on for about an hour. The guard's dial would indicate to him the state of the air-brake. He can apply the air-brake from his van at once. You cannot recharge except from the engine.

*Baume:* Engine T 102 is not scheduled. I arrive at its power by the traction-power of the engine compared with others. The power of that engine is more than when it was new. It is a better engine now than when it was new. It was a Baldwin. They were a success. We got very good work out of them. The grade is one of the steepest on this section, and the conditions that night were bad. The breaking-down of the engine was caused by an old flaw. It is not possible that the irregular beat of the engine was attributable to that flaw. I do not deny that there may have been an irregular beat. Cooper and Taylor could not have been mistaken and imagined the irregular beat. I have been led away by imagination and have imagined I heard irregular beat. If I heard or imagined I heard my engine beating wrongly I should consider it necessary to at once investigate. If I were told that Cooper and Taylor thought it necessary to at once investigate, and did so, I should consider they were acting as prudent drivers. It might to them appear to be a danger requiring attention. I do not know the reason why the report on wreckage is not in. From day of accident to breakdown at Frankton the engine ran again. I do not know what her run was.