

level grade before uncoupling. It would have been very unwise to struggle on that distance. When I went to put on hand-brakes I looked at brake-blocks on first or second wagon. I saw that the Westinghouse was on or appeared to be on. I had a torch with me. I only looked casually. I wanted to see the train was secure. I had no doubt whatever as to the efficiency of the brakes. I did not look at train-pipe connections. Afterwards I discussed with others the cause of train getting away.

Court: Supposing there had been no Westinghouse brake on that train, I would have secured it with hand-brakes. I have not had experience with hand-brakes on that grade, but I would have put down, I suppose, over half of them. Had I given three short whistles the guard would have known I wanted brakes on. Cooper gave those whistles when we were chasing the train. I did not consider it necessary to warn the guard before we uncoupled. I made a statement to Constable Spellman at Rotorua. There was trouble about it. I did not tell him Dwyer did the uncoupling. He read that over to me and I corrected it at once. I never told him Dwyer, the acting-guard, did the uncoupling. When he put that down I said, "No, that's wrong," and he at once struck it out. I gave evidence before the Coroner (papers 4-15, inclusive, and 108-22, inclusive). What I said to Coroner is, to best of my belief, true, and I do not wish to alter it. I said there that I released the Westinghouse brake.

Baume: I remember a train with the engine being ten minutes on the incline without moving. It takes a fraction of a second to close the cocks. There has been trouble at Ngatira before. A Maori greased the rail there and was fined for doing so. When I examined wreckage I saw Westinghouse brakes on. They might have been put on with hand-brake in the van. [Plan put in showing separate action of hand-brake and Westinghouse brake on the brake-blocks (Exhibit No. 19).] I had no reason to believe Westinghouse brake insufficient to hold the train, but I applied hand-brakes as additional precaution. After I uncoupled the train remained stationary. Had the Westinghouse been inoperative the train would have gone right away as there were no hand-brakes on then. They were put on after uncoupling. The Westinghouse alone held the train between the time I uncoupled and the time I applied the hand-brakes. The hand-brakes I put on would not alone have held the train. They may have retarded the train a little. I am quite certain they were put on after I uncoupled. I applied twice for the Appendix. I was of opinion it was my duty to communicate with the guard after I found out something was wrong with the engine. If the guard had put on his brake it would not have held the train. I think half the truck-brakes without the van-brakes would have held the train. The whole of the hand-brakes would have held her, of course. I have not had experience enough to say how few or how many would hold her. There is no Stationmaster or other person at Ngatira to see if the train is interfered with, and the cocks are all exposed. A long train gives practically more work to the engine than a short train of similar weight—the friction is greater. I am satisfied, so far as I am concerned, that I put on the brakes and took them off again at Putaruru. At Ngatira I believed the pressure was still on. At 48-mile peg I had no reason to doubt that the Westinghouse brake was properly on that train. When I left the train on the incline uncoupled I had no reason to doubt that she was perfectly safe. I cannot suggest any action on my part that could have prevented the accident. I, on my part, so far as I know, have not contributed anything to the accident.

Court: I do not know whether we left anything behind at Putaruru that was to be taken on to Rotorua. I have, to the best of my belief, fully disclosed everything within my own knowledge relating to this accident. I have not since the accident heard of anything which would assist the Court in arriving at a conclusion as to the cause of the accident. I had no reason to put on the hand-brakes before I uncoupled. Supposing the reservoir and pipes are all empty, my pump would complete recharge in between one and two minutes.

J. L. TAYLOR.

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

Inquiry adjourned until Tuesday, the 27th instant, at 10 a.m.

TUESDAY, 27TH AUGUST, 1907.

On resuming inquiry His Honour stated he had received a letter marked "Private and confidential" from a Mr. William Bannerman, of One-tree Hill; that he had summoned Mr. Bannerman to attend as a witness, and that the letter was open to be read by those interested (Exhibit No. 20).

A telegram from the Stationmaster, Putaruru, stating that no goods for the south were left behind by the train which left on the 3rd August was produced (Exhibit No. 21).

This deponent, JOHN LAMBERT TAYLOR, being recalled, saith:—

Court: Cooper while chasing the train gave the three-whistle signal on three occasions. While chasing, the two engines were coupled—that was no disadvantage. I should judge we were going forty miles an hour when we gave the chase up. The runaway train gained on us, and we could not overtake it. I have no doubt whatever the pump was working the whole time we were going up the incline. There was nothing to be gained by not keeping the pump working. If we had uncoupled the two engines it would have caused delay in starting after the train.

J. L. TAYLOR.

Taken and sworn at Auckland, this 27th day of August, 1907, before me—CHAS. C. KETTLE, D.J.