

12. Do you think the car was coming at ten or twelve miles an hour?—I hardly think the motorman could get up to twelve miles an hour between those stopping-places.

13. Did you hear the gong ringing?—Yes.

14. Did you see the motorman putting on the brakes?—He looked to be putting on the brakes.

15. Another car had just passed previously to that?—Yes.

16. And your engine was slipping across when the other one was coming up?—Yes.

17. The electric car struck you in the rear portion?—Yes.

18. *Mr. Fisher.*] Did you remark anything to the driver about the excessive rate of the tram-car?—I do not remember.

19. The motorman must have been putting on the brakes if, as you say, she seemed to stop and then come forward?—She seemed to stop and then jump. That was my idea.

20. When the first car was going up Courtenay Place did you stop to let her pass?—Just eased up, but did not actually stop. We were just moving, and that was all.

21. Did you see the two cars at the same time—one on the right and the other on the left?—No, I did not see the car from Courtenay Place until the other had passed.

22. Do you think the car you allowed to pass got between you and the other car?—I do not think so. She was past in a very short time, and left the way clear then.

23. Did the impact of the car shift the motor very much?—It gave her a bump in the stern part. It struck the motor on the hind wheel, which jarred her round.

24. You did not sight the car you had the collision with when you were in Tory Street?—We were practically in Tory Street all the time.

25. You were in Courtenay Place when the accident occurred?—Just on the corner.

26. Before you had gone over the footpath at Tory Street had you sighted the car with which you eventually collided?—I could just see her then. You could not see her until you get to the corner. When we sighted her the other one would be about here [place pointed out on the plan]. When we came out we could see both cars.

27. Was there not ample time for you to stop and let the other go by?—This steam wagon is a very slow-travelling affair. At the rate she was going, if the car had not been coming quite so fast, we should have got across.

28. What rate do you reckon you were going?—About two and a half miles an hour.

29. You did wait until one car passed?—Yes, the one going to Island Bay.

30. I suppose, as a matter of fact, at the time, you were travelling about as slow as she can travel?—Yes.

31. In how many yards could that steam lorry have stopped at the rate you were travelling? She could have stopped dead.

32. *Mr. Wright.*] When you saw this car that ran into you coming down, did you reckon there was going to be a collision?—I reckoned there was time to get across. If our driver had stopped dead where he was, there would have been an accident the same as if he had gone across. When the State driver saw there was going to be a collision he had not time to back down clear.

33. *Mr. Fisher.*] His only chance was to keep going?—Yes.

FRANK BARTON re-examined. (No. 6.)

1. *The Chairman.*] Have you been advised that if you should happen to receive compensation from the Crown, a portion of that money will have to be paid back to the insurance company which paid you £150?—They hold a document from me to the effect that they are to be refunded the £150 which they paid me for the purpose of paying my expenses in case I went to law.

2. Supposing, as the result of your petition to the House, you are granted a sum of money by the Crown, will any portion of that money be paid to the insurance company as against the £150 paid to you?—A hundred and fifty pounds will.

3. Supposing you got £200 from the Crown as a result of your petition, will you pay £150 of that to the insurance company?—I am legally bound to pay it.

4. You are bound to that effect?—Yes.

5. You told us the name of the solicitor who advised you to accept those terms?—Yes.

6. Will you name the solicitor?—Mr. Wilford was my solicitor, but this document came to me at the very last moment, when things were very bad for me, and I had got the decision from the Court. They told me the following day they would pay £150, and sent in their document stating that I should have to pay back the £150 if the Government granted me compensation.

7. That was from the insurance company?—Yes.

8. And you say Mr. Wilford advised you?—No, Mr. Levi advised me.

9. That is Mr. Wilford's partner?—Yes.

10. Was it after the Court had decided that you had no case?—Yes.

11. Then the only money you might get back would be what you might obtain through this petition?—Yes.

12. And you agreed to pay the £150 back?—They hold a document to that effect.

13. *Mr. Newman.*] Were those solicitors acting for the South British Insurance Company?—They were acting for me.

14. *The Chairman.*] Did any one come to you on behalf of the insurance company—any individuals—or was the document brought along to the solicitor?—They brought the document to the solicitor with the cheque.

15. Did you object in any way, or did you accept the advice of your solicitor and sign the document?—Mr. Levi said, "You might just as well sign it."