

the existing law, and I refer the Committee to section 215 of the Public Works Act, which gives powers which are practically the same as those sought under the Bill, although the remedy is different.

182. If you read section 215 you will see you are wrong. The section says, "If the person appointed to inspect any railway or portion of railway shall, after any inspection thereof, report in writing to the Minister that in his opinion the opening or the continued working of the same would be attended with danger to the public or to the persons employed on such railway, by reason of the incompleteness of the works or permanent-way, or the need of necessary repairs in any part thereof respectively, or the insufficiency of the establishment for working such railway, the Governor may from time to time order"—Where is there a word there which gives power to any one except the local authority itself to make an order for anything to be done in regard to the requirements of the traffic, apart from any question of public danger?—I do not know. I did not go that length. I say that under this clause the Minister has power to appoint an official to inspect the tramway; and if he reports that any necessary repairs are required, or that there is any insufficiency in the establishment for working the tramway, then the Minister has power to apply the remedy.

183. Where?—Under section 215.

184. That is only if there is danger to the public?—That is so.

185. But my point is this: that that does not give anybody except the local authority the power to govern the question of reasonable requirements of the traffic. Do you see what I mean?—Yes; but insufficient establishment may itself be a source of danger.

186. I am speaking altogether apart from any question of public danger?—If you mean that this clause does not give the Minister power to prevent any number of people travelling in a car, I am with you.

187. No, I do not mean that. Under the Bill there is power given to the Minister to make an order to make repairs and alterations quite apart from the public danger, but to meet what the Minister may think is the requirements of the traffic. Is not that so?—In redrawing this clause we have undoubtedly improved it, and that is one of the improvements that have been made.

188. Is not that something which obviously goes beyond the existing law?—I do not say it is an exact copy of the existing law.

189. Does not that go obviously beyond the existing law?—I think it does go beyond the existing law.

190. Then why do you say it is merely a re-enactment of the existing law?—I did not say it is "merely"—I say it is practically a re-enactment of the existing law.

ROBERT WEST HOLMES examined. (No. 12.)

1. *The Chairman.*] What are you?—Engineer-in-Chief to the Public Works Department.

2. You know the Bill that is now being considered by this Committee?—Yes.

3. *Hon. Mr. R. McKenzie.*] You were one of the members of the Royal Commission which inquired into the working of the Auckland tramway system about fifteen months ago?—Yes.

4. What was the Commission's report regarding the brake-power on the Auckland trams?—That it was insufficient to handle the cars safely. That was the finding.

5. Was there evidence brought before the Commission as to the inefficiency of the brakes being responsible for several accidents, both fatal and otherwise, before that time?—I do not remember. There was considerable evidence brought before us to the effect that the brakes were not sufficiently powerful.

6. And the members of the Commission were satisfied that they were not sufficiently powerful?—Yes.

7. Do you know whether the Public Works Department has endeavoured to induce the management of the Auckland Tramway Company to install more powerful brakes?—Yes, they have been requested to do so.

8. Have they made any attempts, outside putting on two experimental brakes, to comply with the requests of the Government?—The only knowledge I have of any attempt has been the information supplied by the general manager of the company that they have placed an order in England for some experimental sets of Freund brakes.

9. How long would it take to get those Freund brakes out here, and fit them and experiment, do you think?—It should not take more than about three months from the date of shipment in London for them to arrive in New Zealand, and to be fixed, and experiments to be made.

10. And after that experiment was made it would mean that the rest of the cars would be going with the present brakes for some time longer?—Yes.

11. And in your opinion the public would have to run the extra risk while the cars were running with the present brakes?—Yes, also the motormen, and every one in the car, and the people in the streets.

12. Do you think it would be a proper thing for the Government to do to bring pressure to bear on this company to insist on their putting proper brakes on the cars?—Yes.

13. That is, after giving them a reasonable time to do it of their own free-will?—Yes, certainly.

14. There was a statement made here last night that you gave the engineer or manager of the Auckland Tramway Company to understand that you disapproved of the air brake?—I disapproved of the air brake as a substitute for the track brake.

15. But you do not disapprove of it if they are combined?—I do not disapprove of the air as an additional means for working the wheel-brake.

16. Do you know whether a letter was sent from the Department to the company giving them an option of three kinds of brakes, which included the magnetic brake and the air brake?—No,