

45. Did those two trains run in 1903 at that time in the morning?—Yes; we had a crossing at New Lynn, just the same as at present. I ran the train now known as No. 6, and we crossed another train in New Lynn in exactly the same fashion and at that time in the morning.

46. Do you know if any of these brickworks were in existence at New Lynn at the time at which you were running your train?—I am not sure.

47. What do you know about the works: what works were in existence?—I do not know anything about them.

48. Can you give any evidence about the population of New Lynn ten years ago?—No, I cannot.

49. Have you run any trains under fog-signalling conditions on any Auckland line since you have been driving?—You mean, have I been fog-signalled?

50. Yes?—Yes, on two occasions.

51. On that section—Henderson—New Lynn?—No, at Waikumu.

52. How many times was your train pulled up at the home signal at New Lynn during the nine months you were running?—I could not tell you.

53. You have heard the evidence given here, and you say that you heard the evidence given at the Auckland inquiry?—That is so.

54. Do you consider that the evidence is the same?—It is not for me to say. I would not pass an opinion. This thing is not done with yet.

55. At what speed would you have to run your train so as to stop within 30 yards?—It would depend upon circumstances.

56. I mean at this particular place—where the home signal is, and on that grade. When you come to the home signal, at what speed would the train have to be travelling to pull up within 30 yards?—Ten miles an hour, but that is just a conjecture.

57. Have you ever been fined for running your train late?—No.

58. When you were running on that line was that signal at the present place or the old place?—I could not tell you.

59. Do you consider it is safer where it is or at the old place?—I consider it is safer now, for the reasons given by Mr. Wynne.

60. *The Chairman.*] You say you have never been found fault with or got into trouble for being late. Have you often been late on account of weather troubles?—No, not very frequently.

61. More than once?—Yes.

62. You have been late and you have not been found fault with?—That is so. If you are late and you give any sensible reason there is nothing more heard about it. That has been my experience.

63. *Mr. Green.*] At the time you were running this particular train there was no tablet-porter at Waikumete, was there?—I could not say.

64. Had there been a tablet-porter at Waikumete on the morning of the accident to hand a tablet to the driver of the Henderson train, would not the tablet-porter at New Lynn have known where that train was after leaving Waikumete?—I do not consider it would have made any difference.

65. Have you never at any time had to pick up time after leaving Waikumete?—I do not remember.

66. Do you think that the driver might have left on this particular morning a little late and tried to pick up time?—I could not say.

67. Coming down Scroggy Hill there was fog at times, was there not, during the time you were there?—There may have been.

68. Had you met with a fog such as was met with that morning at what speed do you consider you would have travelled?—I could not say. The evidence varies widely.

69. Had you run into this fog coming down Scroggy Hill as the driver did that morning, what would you have expected when you got on to the flat: would you have expected any fog-signals to be put out?—No.

70. *Mr. McVilly.*] When you were crossing at New Lynn, assuming there was no tablet-porter there, you would be working under signals from the guard, would you not?—That is so.

71. You acted under the guard's signals?—Yes.

72. *The Chairman.*] You say you are not sure whether there was a tablet-porter at New Lynn or not when you were there. How would you do—would you set your own points?—The guard of the first train to arrive would let his train in by the siding and would stop the other man before he came in and give him the signal to pull in.

73. The guard took the place of the porter?—He had to.

74. *Mr. Kennedy.*] In your answers to Mr. Green you made a statement, and I think you were in error. He asked you whether, if you had been running the train that morning from Scroggy Hill to New Lynn and a dense fog had prevailed, you would have expected fog-signalling to be used?—Not necessarily. I am satisfied that I could have stopped short of that signal. I would not expect fog-signals, because I would reduce speed.

75. What are fog-signals provided for in the rule-book?—The instructions are in the rule-book for you to read.

76. I will read you part of Rule 158: "During a fog or falling snow, or where, in consequence of the station being approached upon a falling gradient, or for any other reason, special instructions for working are issued, no obstruction must be allowed at the station inside the home signal until the line is blocked to the signal-box in one or both directions, as may be necessary" I do not consider that that rule applies to New Lynn.

77. I asked you whether you thought that fog-signalling applied to New Lynn when there was a fog. Do you say you do not think so?—I do not think so.