

15. What is your opinion of doing so, as against such a system as backing down the main line and pulling into the loop?—Generally speaking, pulling up to the water-tanks and taking water and then pulling out and backing into a siding should be perfectly safe within the signals; but it is quite obvious that if they were to do it in the other way it would possibly lessen any risk there might be. I consider that where signals are provided and the trains are shunting in between them it is a safe practice.

16. There is no regulation bearing on this point, is there?—Rules 157 really applies here.

17. Is there any rule directing an engine-driver to pull back instead of going forward after watering?—It would come possibly under the shunting instructions—that they do the work under protection of the signals—either go back or go forward. There is no rule providing every movement that every train is to make at every particular place, because circumstances vary considerably. Rule 157, I think, really answers your question: “No engine or vehicle must be shunted or moved from one main line to the other, or from the main line into a siding, or from a siding on to the main line, or allowed to stand on main line, unless protected by the proper signals, exhibited as may be required.”

18. That does not bear on the point I wished to bring out. I want to know if there is any regulation directing an engine-driver to back down and then pull into the loop instead of going forward?—I cannot remember any instruction that provides for such a thing as that.

19. *Mr. Sykes.*] Do you consider the tablet-porter at New Lynn a competent person?—In my opinion he was perfectly competent.

20. It has been stated that there was a lack of discipline at New Lynn. In your opinion there was no lack of discipline?—In my opinion there is no ground for the statement.

21. The tablet-porter was quite competent to control all those over whom he had authority?—As far as I knew of the man, yes.

22. On the morning of the accident did the tablet-porter use all necessary precautions to avert any collision?—That is rather an awkward question to answer directly, because it all depends on the circumstances there at the time the trains came in. From what I have heard of the evidence I should say that the tablet-porter kept his signal at “Danger” until he was prepared to receive the train on the main line.

23. He had control of all those over whom he had authority?—I have no reason to think otherwise.

24. *Mr. Dickson.*] Did you receive any complaint from any engine-driver about fouling the main line or refusing to back on to the loop—about February?—I received in February a report in connection with some disagreement, but it was not on all-fours with this at all.

25. Have you got the letter here?—The engine-driver reported—

26. What is his name?—R. C. Dobbie—reported that on approaching New Lynn he received the green signal to proceed into the station, and on entering the through siding with the train at the south end of the yard he saw No. 6 train coming in. This has no reference to the matter in May. This was a matter that was inquired into.

27. Have you got his complaint, or was it Mr. Richardson that started the inquiry? Who reported it?—This matter was reported to the Locomotive Engineer, who referred it on to me.

28. Who reported it to the Locomotive Engineer?—The driver.

29. Have you got the driver's letter?—No.

30. I will ask that letter be produced as evidence before this Committee. I understand that Mr. Richardson was Engineer at that time?—Yes.

31. Was he called at the departmental inquiry?—I am not in a position to say.

32. What was this driver's complaint, or what was the finding?—I read you copy of his letter. They were taking a train in, and before the train was clear the tablet-porter apparently lowered the signal. He was dealt with.

33. Was that the same tablet-porter?—No. This matter has really no bearing on the question at all. Of course, each case that comes before my notice is dealt with very fully on its merits.

34. And did you consider it sufficiently serious to punish that particular tablet-porter?—He was punished, but not fined. The action I took was to take him away from the tablet station and put him in another position.

35. You did not think it was sufficiently dangerous to fine him?—No, in this particular case I did not. From my experience I considered that a caution would meet the case.

36. But when he signalled he gave the line as clear?—But there was no chance of an accident the way the trains were coming.

37. Have you received any complaints from the Engine-drivers and Cleaners' Union asking for any distant signals to be put up?—No, that would not come before me.

38. Can you tell the Committee anything as to why the signal at New Lynn was moved?—I have no recollection of it. I might state that I understand the home signal is visible nearly half a mile away, and the moving of the signal would not have made any appreciable difference that I know of.

39. That is in the ordinary running: would it not make any difference in a fog?—Of course, it is just a question of sight. You cannot sight anything as far away in a fog as on a clear day.

40. You heard the evidence given that the driver could see the signal 30 yards away?—Yes.

41. If the conditions were the same—namely, that the signal could be seen 30 yards away—would there be any greater chance of pulling up the train at the old place before it got on to the bridge?—I do not think I am in a position to say one way or the other. I could not really decide such a point.

42. When a man passes a signal and sees it is against him, his first duty is to pull up the train immediately?—Yes.