

74. If there was a fog on the morning in question should No. 5 have been shunted in the way it was?—That is a matter that must be left to the officer in charge. You cannot expect me to say Yes or No, because a man must be guided by the circumstances, and I am not in a position to judge what the circumstances were on this particular morning.

75. I am asking you to imagine that there was a dense fog?—I cannot say.

FRIDAY, 19TH SEPTEMBER, 1913.

WALTER BOWLES further examined on oath. (No. 24.)

1. *The Chairman.*] I understand you wish to make a statement?—Yes. Before continuing my evidence I would like to correct some little discrepancy in connection with my answer to a question put to me yesterday by Mr. Dickson, and I should like to place the matter perfectly clearly before the Committee. On the 10th February Driver R. C. Dobbie, who was on No. 5 train, reported that on coming into New Lynn, Tablet Porter Mooney pulled the lever signal for No. 6, and then put it at "Danger." That is a breach of Rules 123 and 124. I have since looked up the file, and I find that on the 8th March I severely cautioned Mooney. In connection with this report another case was referred to me. I think on the 21st April I received an intimation that Driver Munro had reported an irregularity at New Lynn on the 28th February. This matter was investigated, and on the 24th May it was reported to the General Manager. Porter Mooney was the man concerned. It was a case where he allowed one train coming in on the main line to go into the siding at New Lynn whilst there was a train coming in on main line at the other end. The matter was not very serious, and on the 24th May I gave instructions that Mooney was to be transferred from the charge of a tablet station to another station, and he went eventually to Onehunga. There are so many reports about various matters passing through my hands that it is quite impossible for me to remember everything that goes through. I wish to be frank with the Committee, and I do not wish to make any statement which is not, as far as my recollection goes, correct. These are the only two cases that occurred, to my recollection. The 24th May was only a few days before the accident, so it is quite easy to be out a few days. I make this statement, gentlemen, with the full assurance that the Committee will accept it as being perfectly frank.

*Mr. Dickson:* After hearing Mr. Bowles's statement I do not now consider it necessary to call Mr. Dobbie as a witness, and I move that the motion which was agreed to yesterday be rescinded. [Motion rescinded.]

2. *Mr. Kennedy* (to witness).] You say that on the 24th arrangements were made for the transfer of Mooney to Onehunga?—Yes, the 24th May. My reason was that I did not consider it wise that he should remain in charge of a tablet station.

3. I want to know if special instructions are now issued for the crossing of Nos. 5 and 6 at New Lynn?—The instruction issued to New Lynn was that they should cross trains by taking the train going to Henderson into the siding at the Auckland end. I did that on account of the talk and apparent desire on the part of some people who wished it altered, but not that I admitted anything at all in connection with the matter.

4. Have instructions regarding crossing of trains been issued to any other station near New Lynn since the accident?—I think there were to Mount Eden. It came under my notice that there was some talk all along the line, and I deemed it advisable that the staff should deal with the matter to stop the talk.

5. Assuming there was a fog on the morning of the accident at New Lynn, should fog-signalling have been carried out?—It would have been advisable. The man in charge could have placed fog-signals on the line if necessary.

6. And should No. 5 have been shunted in the manner it was without fog-signals?—I do not know. The fog-signals are there to protect incoming trains.

7. Say in a dense fog?—In a dense fog the officer in charge is responsible and should take the necessary precautions.

8. Should there have been detonators used if there was a dense fog?—Probably. I should have done so if I had been in charge.

9. *The Chairman.*] It would depend upon the density of the fog?—Yes. It is a matter that must be left entirely in the hands of the officer in charge; the rules provide for it.

10. *Mr. Kennedy.*] Are you aware that the Engine-drivers' Union has drawn the attention of the Department to the fact that fog-signalling was not being carried out on the Auckland Section?—I am not positive. I believe attention was drawn to it, but I have no recollection of seeing it on paper.

11. There were no instructions given by you with regard to the crossing of Nos. 5 and 6 prior to the collision?—The rules provide the necessary instruction. It is not necessary for me to repeat the rules to the staff. I gave no instructions.

12. Rule 250 states, "All trains taking sidings to allow other trains to pass or cross must, unless otherwise instructed, enter from the nearest end, and must not draw ahead and back into the siding except under proper protection"?—The trains were under proper protection inside the home signal.

13. In a dense fog without detonating signals?—The man in charge is responsible.

14. But you said that in a fog you yourself would put detonators out?—Yes, I should if I considered it necessary. I should have to be the judge if I was on the spot.

15. But with no detonators out and no special instructions from you, I take it that this rule means that the train should draw in at the first points?—It may be advisable to do that, but the rules provide for it.