

120. What is the maximum speed at that part of the road: what is the driver allowed to run at?—I believe the time-table says twenty-five or thirty miles an hour. Whether there is any restriction back there I could not say.

121. If a driver were running at twenty-five miles an hour on a portion of the road where he was allowed to run thirty, would you consider he was running cautiously?—In clear weather.

122. You have said that you would not consider a driver was running cautiously if he were running fifteen miles an hour?—I would not if he was in a dense fog in that locality. Fifteen miles an hour in that particular locality I would not consider cautious running.

123. At which part of the grade do you think he should have reduced speed to fifteen miles an hour?—Right from Titirangi crossing.

124. Practically what you call the bottom of the grade?—Yes.

125. I meant, in running down the hill long before that. You think that if he had brought his speed down to fifteen miles an hour at Titirangi crossing he would have been running cautiously?—He would be running cautiously going down the hill at fifteen miles an hour.

126. You would only expect him to reduce speed further after he got to that point?—That is so.

127. You heard Driver Bennie's evidence when he said that he pulled ahead and stood for three or four minutes waiting for a signal to come back, and you also heard Porter Beary's evidence?—I did not hear Porter Beary's evidence.

128. Porter Beary gave evidence, but unfortunately he is not at this inquiry. The driver could not get a signal to come back: you know that?—No, I do not. I have not shunted a train round that bend.

129. You were here when Driver Bennie gave his evidence, were you not?—Yes, I know what he said.

130. He stated that he stood waiting for three or four minutes for a signal to come back and could not get it; yet you heard Mr. Mortimer, the tablet-porter, state that he could see 200 or 300 yards. How can you reconcile those two statements?—The driver, as he says, was round a corner, and Mr. Mortimer could see the semaphore in a straight line. Driver Bennie could not see on account of the bend in the train, I understand.

131. The man who shunted him said that he could see the engine?—He could see certain parts of the engine, but not the driver.

132. Yet he could not get the signal?—I could not say anything in regard to that. I have not shunted a train there.

133. You will admit, I suppose, that there is a discrepancy between the two men's evidence?—No, certainly not. There is no discrepancy at all that I can see.

134. How do you account for the difficulty in getting that train back once it had pulled ahead?—Owing to the bend and the twist of the train.

135. But it was a common thing to shunt the train like that?—I cannot say anything about that. I have not been there at the shunting of the particular train.

136. You can offer no explanation why this train stood for three or four minutes?—No.

137. You see trains entering stations where they are crossing, do you not?—Yes.

138. And you have noted the speed of them when entering those stations?—Yes, occasionally.

139. Do you think that all those trains that you see entering crossing-places could, if necessary, stop with a hand-brake?—It all depends on circumstances—what station it is.

140. And the speed?—And the speed.

141. Do you think they have sufficiently reduced their speed to stop clear of any obstruction on the line?—Yes, as far as I am aware.

142. Have you ever stood here at the Wellington Station and seen the trains coming in from the Wairarapa?—I may have—I could not say.

143. *Mr. McVilly.*] Regarding the time that No. 5 is stated to have stood at the bridge, the train journal shows that No. 5 arrived at New Lynn at 6.44 and that No. 6 arrived there at 6.48: that is a total of four minutes' interval between those two trains. In that four minutes No. 5 had to pull up and take water at the tank, and other operations, I suppose, were performed before the driver drew down. Did you hear Driver Bennie say that he admitted the accuracy of the times shown in the train-book?—Yes.

144. Did he not also admit that under those circumstances he could not have stood three or four minutes?—That is so.

145. With your knowledge of the deception of time, do you think it possible or probable that he stood there three or four minutes on the main line waiting for a signal?—No, certainly not. I reckon that he would not stand there more than one minute.

146. From your experience as a railway man, if you ask a man how long he thinks he has stood there and you put the watch against him, how many men could tell you?—Very few.

147. In a case of this kind, then, where a collision occurs, the tendency would be for the driver of No. 5 to be out in his reckoning as to the time he stood there?—Certainly.

148. In view of Driver Bennie's statement and what I told you just now, do you consider that No. 5 stood an undue length of time on that main line after she pulled ahead?—No, I do not.

149. Now, Rule 148 (b) does not apply to New Lynn, does it?—No.

150. "A list of names and addresses of fog-signalmen, showing the post to which each man is appointed, must be kept exhibited in a conspicuous place in the Stationmaster's office and signal-box." Assuming that there was no such list there, you would expect the signalman to comply with Rule 155, you say, in case of a dense fog?—Certainly.

151. You would not consider it necessary, would you, in a case where the signalman could see 330 yards?—No, certainly not.