

10. You cannot give us any information without the papers, then?—No. There was no inquiry held, I am sure. It was just simply that reports were obtained from the various men concerned.

11. There were reports, and you would give your decision?—Yes.

12. What we want to get at is what your decision was—whether the tablet-porter was right or whether there was a breach of the regulations?—I do not remember sufficient about the matter to make any statement concerning it.

13. Anyhow, you know that such a complaint was made?—I remember that there was a complaint made, but I did not know it was Driver Dobbie. It thought it was Driver Bennie, speaking from memory.

14. Do you deal with letters that come through in connection with distant signals—from, for instance, the Engine-drivers' Association?—No; they correspond with Head Office.

15. You cannot tell us why that home signal was shifted at New Lynn?—No.

16. *The Chairman.*] Has it ever come under your notice that there were irregularities in the shunting at New Lynn?—Only on this one particular occasion, and I reported the matter at once.

17. Who was the porter then?—I could not tell you—he does not come under me.

18. *Mr. Green.*] Have you ever run over this length of the Auckland Section?—Yes, I have been over it a good many times in the train and on the engine.

19. *Mr. Kennedy.*] You know New Lynn Station?—Yes.

20. Will you tell the Committee whether you consider New Lynn is at the foot of a grade or not?—Yes, I consider it is.

21. There is a provision in the rule-book for fog-signalling?—Yes.

22. Do you think fog-signalling should be brought into operation in cases of a dense fog?—That rests with those in authority on the spot. If they think a fog is of such a density to necessitate it, then bring the fog-signals into operation.

23. *Mr. Mcvilly.*] That question in regard to New Lynn being at the foot of a grade is rather an important one, and I should like you to look at the plan. [Plan produced and explained.] The grade is 1 in 45; from the foot of the grade to the centre of the platform is about 30 chains; and Rule 157 provides that 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, and where fixed signals are not required hand-signals must be used. Seeing that there is a distance of about 30 chains to the foot of the grade, do you consider that the tablet-porter would be justified in taking No. 5 out to the north end under cover of the home signal standing at "Danger," and taking her into the siding under Rule 157?—Yes.

24. That is the proper practice?—Yes.

25. Do you consider that Rule 158 relating to protection of shunting by block [produced] applies to this case?—Yes, it does.

26. Then Rule 157 cannot apply?—It is protected by the "Danger" signal.

27. Supposing you were the tablet-porter at New Lynn, and seeing that from the bottom of the grade to the station is no greater than 1 in 204, would you consider that station at the foot of a grade and work under Rule 157?—I would work under Rule 157.

28. You would not consider that the station, being 24 chains away, was at the foot of a grade?—No. I had an idea that the grade went down to the bottom of the platform.

29. As a locomotive man would you consider that level for the purposes of crossing trains?—Yes.

30. And you consider the practice of pulling No. 5 ahead under cover of the home signal standing at "Danger" the proper practice, provided there was a view of 330 yards?—Yes.

31. No. 6 train this morning, including the engine, weighed 150 tons, and it has been sworn to that the Westinghouse brake was properly tested and in good order when leaving Henderson: would you consider that a man should have any difficulty in stopping in a distance of 12 chains from the foot of the grade to the home signal before fouling it?—No, I should consider there would be no difficulty.

32. If the fog was so dense as to necessitate the use of fog-signals by the tablet-porter, what would you consider the driver should have done considering he could only see 30 yards ahead?—Come pretty steady down to where the home signal was and kept the train under control.

33. So as to be able to stop short of the home signal?—Yes, if required.

34. You would expect him to comply strictly with Rule 208, dealing with fog, and run cautiously?—Yes, I should expect him to come down the hill cautiously.

35. *Mr. Dickson.*] What distance would you consider a station should be to be classed as near the foot of a grade: the rule says "near," not "at"?—Well within two or three chains at least.

36. Where do you consider the station starts?—From the farthest-out points.

37. What are the farthest-out points?—The siding-points in the yard.

38. Is not inside the home signal classed as the station?—I am not prepared to say.

39. You would not say it was not?—I do not know what the regulations are. I consider the station-limits start at the farthest-away set of points on the main line.

40. Then if you were shunting on to those points who would have control of the train after you went outside the station?—The station-limits are protected by the home signal.

41. Who would have charge of the train if it went outside the points you speak of?—The guard has control of the shunting.