

189. Was that before you appealed?—Yes.

190. What wages are you getting there now?—9s. a day.

191. Have you ever been fined for running your train late?—Yes, for delay.

192. What were you fined?—Five shillings.

193. What was the cause of that delay?—A failure on the engine.

194. The Department fined you for a failure on the engine and running your train late?—

Yes.

195. Is that the usual thing?—You are generally fined for anything that goes wrong.

196. Was it your fault that there was a breakdown in the engine?—I do not know; they said it was.

197. In what way?—That there was not proper lubrication on the engine.

198. So that you were fined for a breakdown in the engine: you were fined for——?—Delay to the train.

199. *Mr. Kennedy.*] Was your engine blowing off that morning when you were going down Scroggy Hill to New Lynn?—Yes.

200. Blowing off hard?—Pretty hard.

201. If there had been no fog that morning, do you think you would have seen the surrounding country and run a little faster down the hill from Scroggy Hill?—Yes.

202. So that you ran a little slower on account of the fog?—Yes.

203. When you saw the home signal at New Lynn you thought it was about 30 yards away?—Yes.

204. Do you mean 30 yards in front of you?—30 yards on an angle.

205. You would not be 30 yards off the post in a straight line?—No, on an angle.

206. Did you know the road you were running on?—I did not know it well.

207. Would you have known it in daylight?—Yes.

208. Would you have known it on a clear night?—Yes.

209. Why did you not know it that morning?—Because it was foggy.

210. You told the Committee you were off duty the day before the accident?—Yes.

211. If your foreman said you were on duty would you say he was wrong?—Yes.

212. *Mr. McDermott.*] Do you know if there is any other punishment than dismissal for drivers who overrun signals?—Yes, six and twelve months' reduction.

213. It is not usual to dismiss a man?—I could not say.

214. *Mr. McVilly.*] You say you did not know the road this morning because it was foggy?—Yes.

215. Do you know the rule that in foggy weather you are to light your headlight?—Yes.

216. As you did not light your headlight it would indicate that you did not consider the weather was bad enough?—There was no fog when we started, and it was sufficiently daylight when we left Waikumete to run without a headlight.

217. Do you know Rule 208, which reads, "When from fog, falling snow, or other cause the fixed signals are not visible as soon as usual, the engine-driver must run cautiously, especially when approaching stations or signal-boxes, so that he may be able to stop the train short of any obstruction should the signals be against him"?—Yes.

218. Why did you not carry it out?—I reckon I was carrying it out. Every one had a different way of running cautiously.

219. Your way of running cautiously was to run past a signal of "Danger" and into another train?—No.

WALTER FREDERICK ENGLAND sworn and examined. (No. 13.)

1. *The Chairman.*] What are you?—A fireman in the New Zealand Railways.

2. Where do you reside?—At Henderson.

3. *Mr. McVilly.*] What were you doing on the 28th May?—I was firing on engine No. 288, from Henderson to Auckland—on No. 6.

4. Who was the driver?—Driver Corich.

5. What time did you come out of the shed?—At 6.15 a.m., so far as I can remember.

6. Did you see the brakes tested that morning?—Yes, I was on the engine when they were tested.

7. Did you advise the driver that the brakes were all right?—Yes, I got the signal from the guard.

8. And you were satisfied then as a result of the test that the brakes were efficient?—Yes, he came along and told me so.

9. Now, when you got the signal to start out shunting from Henderson did your train start at once?—No, it would not start—the brakes were hard on on the carriages.

10. What happened then?—As far as I know the guard went back to the rear of the train and found the cock at the end was open and the air would be escaping. He told me that he closed it.

11. If there is a leak in the pipe under circumstances of that kind, does not that result in the brakes coming off?—No, they would go on, as far as I can make out.

12. You afterwards pulled out from the platform and started on the way down?—We pulled up to the points and waited for the guard to lock them. An application of the brakes had to be made again, and when we brought up to the station they were again tested, and that was really the test.

13. After you left Waikumete did the driver indicate to you in any way that he did not know the road?—Not that I remember.