

amendments; and also that these presents, and your powers and functions as Commissioners hereunder, shall continue in full force notwithstanding that the inquiry hereby directed may be interrupted from time to time by adjournment.

In witness whereof I have hereto set my hand, and caused these presents to be issued under the seal of the said colony at _____, this twenty-sixth day of June, one thousand eight hundred and ninety-nine.

RANFURLY, Governor.

Issued in Executive Council.

ALEX. WILLIS,
Clerk of Executive Council.

R E P O R T.

To His Excellency the Right Honourable Uchter John Mark, Earl of Ranfurly, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same.

MAY IT PLEASE YOUR EXCELLENCY,—

In pursuance of the Commission issued to us dated the 26th June, 1899, and the instructions therein contained that we should inquire "into the causes of the accident (at Rakaia on the 11th March last) and the circumstances attending the same, including the questions whether the accident was imputable to the negligence of any persons, and, if so, in what particulars and to what extent," we have now the honour to state that we held an exhaustive inquiry at Christchurch on the 29th and 30th ultimo. On the first day named we travelled over the line between Christchurch and Ashburton, and carefully examined the road and working appliances on the up-journey between Ashburton and Rakaia. The line is laid with 53 lb. steel rails. The sleepers, of which there are 2,100 to the mile, are good, and have 6 in. of ballast underneath. The road is practically straight, and in excellent running-order.

It is desirable concisely to state the circumstances under which this accident occurred.

On the 11th March two excursion trains were booked to run from Christchurch to Ashburton, returning in the evening, leaving Ashburton at 6.5 p.m. and 6.15 p.m. respectively. The working-notice for these trains was issued in due course, and a copy is attached to the evidence. This notice provided for both trains crossing No. 21 south at Rakaia, and the first train, consisting of two Baldwin engines, thirty carriages, and one brake-van, left Ashburton punctually, arriving at Rakaia two minutes before the booked time—viz., 6.45 instead of 6.47. The second train, consisting of one Baldwin engine, fourteen carriages, two wagons, and one break-van, was twenty minutes late leaving Ashburton, and the guard of this train, William Climpson, was unfortunately left behind, in consequence, as he alleges, of the crowded state of the platform preventing his joining the brake-van. It is not apparent that his absence in any way led to the subsequent accident, but we desire to record our opinion that a guard of such lengthened experience as he possesses ought to have avoided so serious a blunder as missing a passenger-train of which he was in charge. This train, under the circumstances which are later on stated, overtook the first train at Rakaia Station, and the driver of it, Charles Henry Carter, instead of stopping outside the first facing-points in accordance with rule, overshot the mark, and ran into the front train, with the disastrous results so well known. The Coroner's jury, at the inquest held on the passengers who were killed, returned a verdict of manslaughter against Driver Carter, who stood his trial at the Supreme Court sittings in June, and was acquitted.

It is shown in evidence which we have taken that the driver (Charles Henry Carter) of this second train started from Ashburton at an unusually rapid rate and that his