

61. What is that signal?—At night-time, a steady green light.
62. Shown towards the driver?—Yes.
63. As either train passed you on the return, was your attention called to a signal by the guard, the driver, or anybody else?—No, I did not see any signalling at all.
64. Did you get any notice from the Stationmaster at Ashburton as to the guard of the second train having been left behind?—Yes.
65. Can you say what time that was received by you?—I think about 6.45, or something like that; some time before the train passed.
66. That being the case, did it not strike you that it was necessary to see whether any person was in the brake-van, or that any light was exhibited?—When I got the telegram I asked the operator whether there was any guard at all on the train. He said, Yes, there was an assistant guard. He said, "He has a friend on the train working back to the brake-van." So I considered he would be sure to know. The guard was in the van before he got to Chertsey, because he would be through the train by that time.
67. Did the operator tell you what he was going through the train for?—Collecting tickets.
68. Approaching your station, would a driver give you any whistle, or is there any recognised signal?—Sometimes they whistle when they see the signal as an acknowledgement, but they do not always do it.
69. They do not whistle for a signal?—Oh, yes, they just give a long whistle.
70. Is it prescribed by any rule?—No.
71. Is it a custom?—Yes.
72. There is no rule to that effect?—I do not know of any rule to that effect.
73. Did you think it necessary to advise Rakaia when you were told that there was no guard on the train?—No.
74. You absolutely did nothing?—I had no one to put on in the guard's place, and the train was already running twenty minutes late; and I thought that, as the majority of the trains only have one guard with them, it was quite as safe as the rest of the trains going through. The operator told me at the time he was going to call up Rakaia.
75. It would appear as if you had not a thorough knowledge of the rule-book. Rule 354 says, "When approaching a junction or station the engine-driver must give the proper notice by whistle to warn the signalman or Stationmaster of his approach, and must not, until he has seen the proper signals exhibited to proceed, run at a greater speed than will admit of his being able to stop his train before arriving at the home signal, or the points and crossing protected thereby, or short of any obstructions that may exist; and he must so stop his train if the signals are against him. The engine-driver must, as far as practicable, have his fireman disengaged when approaching or passing a station or junction, so that he may keep a good look-out for signals"—Of course, I knew the train always whistles at the station. I understood you to mean whether there was any instruction for whistling.
76. Here is the instruction for whistling before the train proceeds, and you said you did not know there was any rule to that effect?—I must have misunderstood you, then.
- JOHN MAY, Stationmaster at Rakaia, sworn and examined.
77. *Mr. Pendleton.*] Were you on duty on the 11th March last?—Yes, I was.
78. When the excursion trains in reference to which this inquiry is being made ran through your station to Ashburton?—Yes.
79. Were you there on their way back?—Yes.
80. Did you see when the first train came in from Ashburton?—Yes.
81. Did it run to time?—Yes; well to time.
82. Did you receive any notice from Ashburton or Chertsey as to the guard of the second train having been left behind?—I just received the notice as the second excursion train was signalling—when she blew her whistle for a signal.
83. *Dr. Giles.*] From what station did you receive the notice?—From Ashburton.
84. *Mr. Pendleton.*] About what time would that be?—I think about 7 o'clock—within a few minutes. I could not say exactly.
85. Did you bring a copy of the message?—Yes. I was on the platform; but there was no one to bring that to me. [Message produced.]
86. Who took it?—The cadet. I was continually watching the train on the platform to see that "Clear" was not given. I was afraid some one might give the signal by mistake. I remained on the platform when the second train arrived.
87. The telegram did not come into your hands until some ten minutes after it was received?—Not until about the time the second train whistled for a signal.
88. Can you put a time to that?—Yes; about a minute after 7.
89. Who is your cadet?—Fowk.
90. A boy?—A lad about eighteen.
91. Do you not think, seeing that it was an important message, that he might have left the office, or sent it to you?—I do not think so. He could not leave the office.
92. Why? Could he not lock the door, and go out?—I do not think he would, unless he got instructions from me.
93. *Dr. Giles.*] How far is the office from the platform?—Perhaps 8 or 10 chains from where I was standing.
94. *Mr. Pendleton.*] Did you get advice of the late running of 21 south?—No official advice.
95. How late did that train arrive at your station?—I think she arrived on the bridge at eight minutes after 7.
96. When ought she to have been there?—She ought to have been at Rakaia at 6.52, and on the bridge at about 6.45 or 6.46.