

passing a level crossing or a platelayer. The engineman must at all times be prepared to act upon any signals shown by platelayers or others on the line." Now, I want to know whether you, or to your knowledge the fireman, just after starting from Ashburton, looked back for a signal to see if anything was given, or anything extraordinary had occurred?—My fireman looked to see if everything was clear on the platform. It was very hard to see on account of the bad night, and the crowds of people on the platform.

206. I asked whether you or your fireman, to your knowledge, looked back for a signal to see if anything was given or anything extraordinary had occurred, and then you go on to say, "It is very hard to say, on account of the bad night." Can you not answer the question?—We both looked back.

207. And you were looking back until clear of the platform?—Yes, until our train was clear of the platform, to the best of our knowledge.

208. And at 6.31, on the 11th March, you found it difficult to see back the length of seventeen vehicles—to see whether there was any signal given or not?—We did not see any signal.

209. *Dr. Giles.*] You say the difficulty was partly caused by the crowd on the platform?—Yes; and if the guard had given any signal it would have been very hard to see it on account of the people.

210. *Mr. Pendleton.*] If a hand were held up would you see it?—Yes.

211. Would not any guard in the railway service give a signal in that way?—Yes. We did not see any signal. If one had been given we should have seen it.

212. It has been said in evidence this morning that the train started away at a very rapid rate—from twelve to fifteen miles an hour. Are you of opinion that you left the platform at that rate?—Not at that speed.

213. What do you suppose your speed was?—It might have been eight or nine miles by the time I got clear of the platform.

214. By the time you cleared the platform, am I to understand you were running at the rate of eight or nine miles an hour?—Yes, about eight miles.

215. Did you get a signal to go through Chertsey?—Yes.

216. Did you whistle for that signal?—Yes, one long whistle.

217. Did you go through Chertsey at an exceptional speed?—No; nothing out of the usual running.

218. You have heard the Stationmaster say that you were going through pretty fast. At what speed do you consider you were running through?—I expect it might be something like thirty miles an hour. I do not think it was anything over.

219. Did you take your time going through Chertsey? Had you any knowledge of what time it was?—No, I did not take my time going through Chertsey.

220. Did you increase your speed between there and Rakaia at any point?—We ran from thirty-three to about thirty-five miles an hour, I reckon.

221. Do you think that thirty-five was your maximum?—I do not think I ran anything over it.

222. And in approaching Rakaia did you shut off steam?—I shut off steam in the usual place for that class of train, and load, and wind.

223. Where was your usual place?—A good way over the rise, across the dip: close on half a mile or more away from the first facing-points. It might have been more.

224. Did you whistle for a signal?—Yes, one long whistle.

225. Did you get it?—No, I got no signal.

226. What efforts did you make, not having got that signal, to pull up?—The brakes were applied. The tender-brake was applied first—that was shortly after I shut off—by my fireman.

227. Did you see him do it?—Yes. He put the tender-brake on.

228. *Dr. Giles.*] Was that before you whistled?—Yes; and then I applied the engine-brake.

229. *Mr. Pendleton.*] The air-brake?—Yes. After applying the air-brake I found it was not holding at all. The engine-brake did not hold at all, so I turned round to the fireman and told him to cut in the air on the tender-brake. It held, but did not have much more effect than the hand-brake, because the hand-brake would skid the wheels without the air-brake.

230. But skidding the wheels is not the best way of retarding a train?—No; we have to avoid that as much as possible.

231. But did the tender-brake, when you cut the air in, not answer?—It did not seem to answer straightaway, but it did a few seconds after. It seemed to have a better hold.

232. Did you, on the run down from Ashburton through Chertsey and towards Rakaia, look back at all for any signals that might be given to you?—I looked back after leaving Chertsey. My fireman every now and then looked back on my side.

233. Did you look back at every level crossing?—Yes; every one, to my knowledge.

234. You know that is in the regulations?—Yes; but it was very hard to see some of the crossings that night.

235. Do I understand you to say—going back to the question of the brake—that the engine-brake never answered?—The engine-brake never answered at all.

236. There was a delay of some seconds in the tender-brake answering?—Yes.

237. And the result was what?—I ran past the station on account of the brake not holding. Had the brake held I should have been able to stop twice in that distance from where I shut off, quiet easily.

238. And how far do you estimate you did overshoot the mark: how far do you think you ran beyond the first facing-points?—I could not say the exact distance.

239. Do you not think, if you had been sufficiently on the alert, that, even without (admitting this for argument's sake for a moment) the air-brake on the engine, you could have brought your train to a stand, seeing how short the train was?—Not under the same circumstances. If we had been running before time, or—