

240. Do you ever do that?—Sometimes. I think we all do it more or less sometimes. If we had been running before time, and were doing what we call “killing time” before coming on to the station—

241. You must have a very liberal allowance on the New Zealand railways if that is the case. How long have you been a driver?—To the best of my knowledge, about twenty-three years.

242. Surely you know, having regard to the serious results of running into a train in front of you, that every possible exertion should be made to stop before you hit it?—Yes; but I had no knowledge of the brake not acting in any way.

243. Do you not think that if you had reversed your engine, and done all that an alert, quick man should do, you might have stopped your train?—If I had reversed the engine that night she would have picked all the wheels up.

244. You did not do it at first?—I did not do it at first. I worked the lever over past the centre to work her on the back pressure as much as possible without skidding the wheels, with the sand full open, and as a last resource I reversed altogether. But it was of no use, she picked up the wheels straight.

245. *Dr. Giles.*] Made them skid?—Yes.

246. *Mr. Pendleton.*] You have heard the evidence given by Gardiner and Hyland as to the absolute ease with which Gardiner, with the leading engine and thirty or thirty-one vehicles behind him, stopped when going into Rakaia; and I would like you to explain how it is that you, with a smaller engine and only seventeen vehicles in all behind you, found it so impossible to avert serious collision?—I think you will find that they ran into that station before time.

247. Gardiner, with perfect ease, with one engine, controlled another engine behind and thirty-one vehicles in the rear, and you, with a similar engine and seventeen vehicles, go smashing in?—They had plenty of time. They got away at the right time at Ashburton and arrived before time at Rakaia, and had time to lose time going into the station, which they could do.

248. You surely would not urge before me as a reasonable thing that you should go smashing in because you were behind time. Your first care is the safety of the public. That is the first consideration, and surely you do not want me to suppose you wanted to make up time at any cost?—I was bound to make as good time as possible on account of No. 21 waiting to cross Chertsey behind me. I was bound to make as much time as possible on that account to get into Rakaia.

249. Punctuality is a necessary thing in railway-working. I admire you for that. But you should know that there are certain risks to be avoided, even at the risk of unpunctuality. I do not want you to leave on Dr. Giles's mind and my mind this impression: that your first intention was to make up your lost time and hammer away regardless of consequences?—I have always worked the trains with the greatest safety, and with the hundreds of thousands of lives which have been behind me I never made a mistake. I left Ashburton that night sixteen minutes late. I got no notice from the guard or Stationmaster whether there were any alterations to be made in the running. I did not even get stopped at Chertsey to be informed that No. 21 was about thirty minutes late into Rakaia. Had that been done I should have found out about the failure of the brake. The guard was left behind, and I knew nothing about it until I stopped at Rakaia.

250. Did you see any signal before the collision?—Just before the collision, but it was a very faint one.

251. You have heard the evidence of Clerk O'Neill, who said that this was shown some 300 yards from the station?—Yes.

252. He expressed an opinion that it could be seen some distance off?—Yes.

253. And you say you never saw the signal?—Only when we got close on it, and it did not appear to be a great distance from the tail-van we struck of the first excursion train; but it was a very bad light—a very dull one.

254. I think he has stated it was a very good one?—Well, it was a very dull one, and we could scarcely see it.

255. Did you see the tail-lights of the first excursion train?—Yes; before I saw the hand-signal.

256. How far off do you suppose you saw the tail-lights?—Just after getting over the rise. I saw a dismal-looking light, but it appeared as if it was 600 or 700 yards on the other side of the station by the look of the lamps; but the rain was beating on the lamps and showed a very bad light.

257. At about what distance from the rise did you first see the light?—I could not give you the distance.

258. A quarter or half a mile?—I should say a little over a quarter of a mile. I could not estimate the distance.

259. A quarter of a mile away, with three red lights staring you in the face, you still go on?—It was such a night that you could not pick up any signs along the road. You could see nothing, and the lamps on that engine are small lights, and they do not show a good light on the rails. You cannot pick up the road so well, and you cannot see landmarks or anything in that way.

260. Well, what does that point to? Does it not suggest that you could not pick up your landmarks, and you did not know where you were?—I knew about the place I was in, but I could not swear to the distance.

261. But if you know what place you were in the distance can be stated. If you say the top of the rise, then from that to the tail-lights is such a distance?—I could not say that I saw the lights at the top of the rise. The bright head-lamp on the Methven line took off the view. It has a brighter lamp.

262. Was it because yours was not properly trimmed?—No; they are properly trimmed.

263. Are they a different kind of lamp?—Yes, with a shallower reflector.