

290. Had you any conversation with the Stationmaster, or any of the staff at Rakaia, after the accident?—No more than that I think I spoke to the Stationmaster about being able to get away with the train as soon as possible, or getting the wounded away to Christchurch. I did pass some remarks about that.

291. I see in the report that you had some conversation with O'Neill?—Yes.

292. What was that?—He came alongside after the collision and passed some remark to me. He said, "Oh, God, Harry! It is you and me for it." This was alongside the engine. And then, after examining the engine, I went in to send a wire, and O'Neill said, "It is you and I for it, Harry." I said, "Never mind that; let us look after the engine."

293. I think in your first report you said O'Neill's remark was, "I am in for it." Subsequently you altered it to, "We are in for it." Which is correct?—I have carried it in my head, but I think that is the outline of it.

294. The first was written on the 13th, and then you altered it to "we," subsequently?—"We" is what I meant to have said.

295. *Dr. Giles.*] As far as you knew, the brake was on in the guard's van?—Yes, the brake was supposed to be on.

296. Do you know whether it was?—I do not think it was. I do not think there was any brake at all on.

297. You supposed it to be on?—It should have been on.

298. When you signalled you presumed it would be on?—Yes, I did.

299. You did not know anything about the guard being absent?—No; I did not know that the guard was left behind.

WALTER STRINGLEMAN, Traffic Clerk in Mr. Gaw's office, sworn and examined.

300. *Mr. Pendleton.*] Were you acting for Mr. Gaw on the 11th, 12th, and 13th March?—Yes.

301. In his name, did you send a telegram as follows: "Regret report collision Rakaia last night between two excursion trains Ashburton to Christchurch with Christchurch Meat Company's picnic, with four deaths; injuries, mostly serious, to fifteen—all passengers; and destruction of three cars train. One train left Ashburton six five p.m. to time; other, six thirty-five, twenty minutes late; both cross twenty-one, Rakaia. First was standing clear at Rakaia, not blocking as in report mailed last night, waiting twenty-one, which was late; second train could not stop in time, so caused collision. S.M. states stop-signal given three hundred yards soon as second train. Driver says shut off steam usual place, in slight dip, where station not visible. On seeing lights of standing train, thought further down station-yard than actually was. When found mistake could not stop in time. He says saw no signal at all chain away from train. Main line blocked by collision, but after considerable delay trains got away through siding; line cleared to-day. Had special just leaving Christchurch with doctors, &c., when advised locally doctors had attended to injured and sent most in by express; few stayed Rakaia and came in to-day. Kept doctors to see to people on arrival express, and provided conveyance taken them hospital and elsewhere." Then follow the names of the dead. The telegram is signed "W. H. Gaw." Did you send that telegram?—Yes.

302. You have heard Driver Carter state that he did not say to you or to any one that he thought, on seeing the lights of the standing train, that it was further down the station-yard than it actually was, and that when he found his mistake he could not stop in time. Did you hear him say those words to any one?—Yes, certainly.

303. Was any one else present?—Yes; Mr. Dickenson.

304. You also heard him say that he attributed the error to the wind and rain?—Yes.

305. And in the presence of any one?—Yes; Mr. Dickenson, Running-shed Foreman.

*Driver Carter:* I quite understand the way that reads—the error was in the distance of the train. I thought it was standing down about the tanks, 600 yards away; but that had nothing to do with my stopping. I was trying to stop all the same. I thought these lamps were further down the line, 600 or 700 or 800 yards away. That is where I thought the train was, and that is where I acknowledge finding out that they were at the station. I did not mean that it was an error in my going in.

306. *Mr. Pendleton* (to Carter).] You positively swore you did not use those words to any one; now you admit you did use the words, and want to put your own interpretation on them?—This has been brought to my knowledge fresh again. I had no note of anything of the kind. There was no writing.

307. Can you tell me how Mr. Stringleman saying that he told you so can bring it before your mind any more than any one else?—I have thought over it since. I did not intend it to mean in the way it reads.

308. I read the words over to you, and asked you if you did say those words to any one, and you said No?—Not in the manner you put it.

309. Then, how should you have put it before?—I did not mean it in the way you understand it.

310. If any man driving a lorry down the street ran into something and said, "I mistook my distance, and when I found out the mistake I could not stop in time," what would you or any other man understand by that—that he misjudged the distance and went into the obstruction? Would you not say, "I misjudged the distance of the train," and that was the object you ran into?—But it was not where I misjudged the distance, but where I tried to stop outside the station limits.

311. *Dr. Giles.*] I understand you to say you had misjudged, but that was not the cause of your running into the train?—That it was not the cause of running into the train. That is what I meant.