

a train could not be pulled up in its ordinary distance on this same account. I did not think the rail would be so bad on this occasion, or would have shut off earlier and made earlier preparations for stopping. It is a side rain which makes the rails slippery usually, as described, and on Saturday night the rain was behind me—a heavy southerly gale blowing almost in line with the track. This gale would assist train towards Rakaia, and help to nullify brakes. My engine-brakes were right and in good order—nothing wrong with them. Engine in splendid fettle. Addington, 14/3/99. On approaching Rakaia Station, before I applied Westinghouse air-brake, the air-pressure gauge was showing 125 lb. (one hundred and twenty-five pounds) on the square inch. My boiler-pressure was 160 lb. at the time, and as I began to apply the Westinghouse brake I opened the steam-valve to Westinghouse pump one additional full turn. It was previously opened about five turns or thereabouts. You have to open it three turns before enough steam passes to work the air-pump. I do not usually carry more than 80 lb. to 100 lb. of air-pressure. I had 125 lb. this time. There was no special reason for this. The pump had been freshly oiled leaving Ashburton, and was working very freely. 100 lb. is ample pressure under any circumstances. It is quite enough. Directly I saw the red lights ahead I opened the sand. The box was full leaving Ashburton, and I tried it there, finding it running freely on both sides. I had not used it between Ashburton and Rakaia. The first I saw of the red light said to have been shown by O'Neill was just as I ran past it, and it was a very poor light at that. I am positive that this light had not been exhibited to us in such a way as to enable us to see it before getting right up alongside. We were looking ahead for a signal from the time we came out of the dip. We saw no lights at the station until after topping the rise, or nearly up the rise north of the dip. Then we saw the red tail-lights of the van ahead of us very faintly. Rain was coming down then in sheets, and our smoke blew right ahead of us, making it still more difficult to see ahead. I judged that O'Neill's red light was shown about 2 chains south of the first train's van. It was only just flashed to us as we passed. Something was sung out to us as we passed, but I could not hear what was said—storm too heavy. After we struck van O'Neill came up to me and said, 'Oh God! I am into this.' I promptly felt my engine brake-blocks, finding them fairly cool; tender-blocks pretty warm. I examined my engine at front end, and seeing that there was already a big crowd of people around the cars of front train, and that I could not apparently do any good, I walked back to my brake-van and felt at the blocks. They were quite cold, and by shaking the brake pull-rods I found that the brake was not 'on.' I tried both sides of van, and neither side was 'on.' The brake-blocks were just up to the wheels and no more. I then examined the train back to the engine. The concussion was not heavy. We felt next to nothing of it on the engine. It was just as if our engine pushed the van right into the cars beyond. My Westinghouse brake worked perfectly all the way afterwards from Rakaia to Christchurch, and was all right on arrival. My opinion is that the first special had made bad 'braking-ground' for us at Rakaia—that is, the sediment and slime off their wheels made the rail much worse for us. I had expected a 'bad braking-ground,' and shut off earlier in consequence. Directly I stopped at Rakaia I pulled out my watch, and made the time 7.15 p.m. At Ashburton, after arrival of 10.15 a.m., we did about fifteen minutes' shunting, turned, cleaned fire, &c., and put engine in shed. I sat down on engine shortly afterwards and had my dinner. I had not then been into town. I went into town for a few minutes, got some tobacco and matches, had one glass of beer, and returned to shed, remaining there until time for train. I did some packing about engine, and odd jobs about engine. I should not have gone into town if it had not been for wanting matches and tobacco. I state positively that the one glass of beer was all I had to drink that day. I do not think the other special enginemen left the shed at all. There was not the slightest sign of intoxication about any of the loco. or traffic train men. My mate was at shed all the time.—C. H. CARTER; witness, A. L. BEATTIE, L. Engineer. 14/3/99."

324. *Mr. Pendleton* (to Carter).] Now, you see, Carter, there is not only an admission that your engine-brakes were all right and working well, but there is a further admission that you got off the engine and found the blocks of the engine fairly warm?—I did not write it myself. "Fairly warm" means only a little warm.

325. Was that statement read over to you when you signed it?—What I mean is that I did not write it myself. I do not mean to say that there has been anything put into what was read over to me.

326. Do you mean to insinuate such a thing?—No, I do not.

327. It is not a fair or just thing to say. It seems like an insinuation that some officer had been getting at you?—My brake-blocks I worked very close to the wheel, and without the brakes ever going on at all they would be a little warm.

328. I presume before getting warm there would be some retarding influence?—If the brakes had been at work they would have been that hot I could not have put my hand to them.

329. But is it a fact, as you stated, that your engine-brake was working well?—Not in the accident.

330. It is stated so there?—I did not mean it that way.

331. You say, "My engine-brakes were right and in good order—nothing wrong with them"?—But before we left Ashburton, and after we left Rakaia, is what I meant by that.

332. And when you say your engine was in splendid fettle, it was so at Ashburton and Chertsey, and north of Rakaia it was so still?—We did not use it at Chertsey. If we had stopped there I should have been able to see.

*Mr. Beattie*: Carter discussed with me the reason why he thought his brake-blocks did not hold, and at that time, and for some days afterwards, until the defence was put in in the Supreme Court, I knew nothing whatever about this theory of the engine-brake failing. The point discussed with me was whether the blocks on his brake would give the maximum holding-power. He contended that these blocks were not of a pattern to give the maximum holding-power.