

333. *Mr. Pendleton* (to Carter.)] Is there anything you want to state, Carter?—Seeing the place I was in, and finding I was the only one suspended, I did not think it was wise to give Mr. Beattie all the information, as I had to stand my trial for manslaughter.

334. The inquest was not until the 17th March: there was nothing about manslaughter when you made your statement to Mr Beattie on March 13th and 14th. You say you were the only man suspended. It is an inevitable thing, I suppose—it is certainly on any railway I have had experience with—that if a driver has a collision with loss of life he is promptly suspended until the matter is cleared up one way or another?—A case of this kind is quite different to any other. I do not know how other countries go on—whether they only suspend the driver or all concerned.

335. You are explicit in stating that the brake-blocks were right, that they were warm and hot at Rakaia; and you say now you never authorised any one to say that the driver of the second special, “who at first stated that he found the brake defective on approaching Rakaia, now admits that the brake was all right.” There is the admission signed by yourself?—The brake was all right after and before, but not at the time of the accident. It was not all right, because it was all wrong. That brake acted all right after the accident.

336. You said “My engine-brakes were right and in good order—nothing wrong with them?”—Yes.

337. If you meant before and after the accident, why did you not put it in?—I did not intend it to be meant as it is given there.

338. *To Mr. Beattie*] With regard to cutting in the tender brake and its not answering immediately: is that mechanically, a possible thing?—No.

339. And if it does not act instantly, what then?—It takes at least a minute and a half to fill up the auxiliary reservoir. If the reservoir is charged, it will act instantly, or in such a measure of time that you cannot define it. The tender-brake could not act unless the tender-reservoir was previously charged.

340. *To Carter*] On arrival at Christchurch did you make any report to your foreman of the alleged defect on your engine?—No, not on that night.

341. Is it in accordance with rule that you should immediately report on arrival?—Yes, I am quite aware of that. The foreman came to me and said I was wanted in the Manager’s office.

342. Mr. Gaw’s office?—Yes. I went up there and we had a few words about the accident, and then Mr. Dickenson told me I could go. Mr. Dickenson asked me to be up on Sunday morning, which I was.

343. Did you, when discussing the accident, either with the Manager’s representative or your foreman, say that the accident was to be attributed to the defect in the brake?—No, I do not think I did say so.

344. *To Mr. Beattie*] It has been stated that the engine head-light which Carter had was not giving a very good light, and not nearly so good a light as that of the Methven engine. Is there any material difference in them?—Speaking on the spur of the moment, I am not prepared to say what lamp was on the Methven engine; but I can say that the lamp Carter had is a good lamp. I do not say it is as good a light as some of the larger ones, but it is a good and sufficient one.

345. *To Carter*] You were talking about not having an intimate knowledge of the Westinghouse brake, its intricacies, and so on. Have you had any experience of the Westinghouse brake on other engines besides the Baldwin?—Yes, on the N class.

346. The same kind of brake?—This one on the Baldwin is the English Westinghouse brake.

347. Is there any difference?—There is a difference. It is only about a fortnight the longest I had them, and I did not have them long enough to know the difference.

348. What is the difference?—There is a difference in the air-ways.

349. Is there a difference in the way you pull the lever to apply the brake?—No, I do not think there is.

350. *Dr. Giles* (to Carter.)] I gather from your report that has been read that you attribute the cause of the accident to two causes: One, that the guard’s brake was not put on. You found after you had a signal, from the feeling of the train, that that brake was not on?—Yes.

351. And the other cause was that owing to the bad breaking-ground the brake never held?—Yes.

352. Do you say that now?—Yes, that the brake failed to hold altogether on the engine.

353. But in the same report you say that the brake was in good working order?—Yes, before I left Ashburton and after I left Rakaia.

354. May not a brake be in good working order and yet fail to hold in consequence of the greasy nature of the rails?—Yes, that might be so as well; but the brake did not hold. It was the fault of the interior of the brake that it did not hold. That is what I meant.

355. Your theory is that suddenly something went wrong with the interior of the brake itself, and immediately afterwards it got right itself?—It was all right after I left Rakaia. At the next stopping place I had no trouble whatever.

356. I do not know whether you know enough about the Westinghouse brake to give us any idea as to how anything could go wrong?—I do not know, because I do not know anything of the interior of the brake.

357. Then it is only a guess of yours as to something being wrong? Is it more than a guess?—No. I know that that brake never went on.

358. Never went on to the wheels?—No. The pressure never went on.

359. That would be a guess if it was owing to the greasy rails?—But it would have gone on if the rails were in a greasy state in the way it was that night.

360. *Mr. Pendleton*.] With reference to your statement that you do not know anything about the interior of the Westinghouse brake: Are you a mechanic by trade or profession?—Not by trade. I am what you call a handy man, and can do almost anything.