

483. And you were standing at Rakaia for some time?—Yes.

484. Did you notice the approach of the second excursion at all?—When I heard the engine.

485. Whereabouts was that?—I could not say how far—a short distance from the station. When I heard one whistle I got on to the platform to get a straight view, so that I could see both my drivers and the train could go ahead. Before my train started to go ahead I heard three more whistles.

486. In giving the signals to your drivers to go ahead, were you prompted simply by hearing the brake-whistles, or because you thought the other train was coming too fast?—Yes; knowing the danger, I wanted to get my train on the move.

487. Did you think it was coming too fast?—Yes.

THOMAS DANKS, sworn and examined.

488. *Mr. Pendleton.*] Have you been a driver in the New Zealand Railway Service?—No; I was a driver on the Victorian railways.

489. How long is it since you were there?—I left in 1878.

490. How long had you been driving there?—Sixteen years.

491. Did you resign?—I resigned to come to New Zealand to start business.

492. Were you a passenger on either of these excursion trains?—I was a passenger in the last returning train.

493. Have you any recollection of what part of the train you were in?—I was in about the fifth carriage from the engine.

494. Did the train start, according to your old railway experience, very quickly from Ashburton?—From my experience, it started decidedly too quick, considering the conditions of the night—it was rough and wet. They were running at a speed of from thirty to thirty-five miles an hour in less than a mile.

495. Was it a speed you thought too great for the line, and the night, and otherwise?—It was an unsafe speed at any time, seeing the conditions of the gauge and the general character of the railway.

496. Did the carriages rock unusually?—No. I was in a very good carriage, and it ran more like a sledge than a railway-carriage.

497. As an old railway-man, you would be alert for any whistles, or would note if the steam was shut off. Can you tell us what was done? Did you observe anything at all?—As far as my recollection serves me, it appeared to be about half an hour after we left Ashburton that we felt the brakes suddenly applied.

498. Would it be the front or the back brakes?—It appeared to be from the front. We were all put at a severe angle in the carriage—the brake was applied so strong.

499. Was that shortly before the collision?—It appeared to be about the intermediate time from when the whistles from the guard's brake were used until we arrived at the station.

500. Then, you heard the whistles from the guard's brake?—Distinctly, and made the remark to my son—who was sitting alongside me—"Jack, there's trouble brewing."

501. Did you form any idea of where the guard's brake was put on? Did you notice any pull from behind?—No, there was no oscillation.

502. Or bumping?—Or bumping of the carriages together, or anything of that sort.

503. *Pro Mr. Carter.*] How could you tell what speed we were going, sitting in the carriage?—The intuitive knowledge of an engine-driver, with the pulsations, is what he has to go by in the matter of speed in the dark; and the quick-recurring noise of the joints of the wheels going over the rails gave me an idea of the speed. It is a sort of knowledge you gain through being so many years on a railway.

504. You felt the shock half-way between the whistles?—The brake was on before the whistling. The whistlings for the brake to be put on seemed to be about intermediate from the time the brakes were applied and the time of the shock of the collision.

505. *Mr. Pendleton.*] Was there any slackening of speed noticed by you when the whistling for the brakes occurred?—No. I only noticed the gradually retarding effect of the brake-power on the train. There was just one continual pull-up all the way. The entire passengers in the coach seemed to have the idea that they were being held back by the brake-power.

FRANCIS MATHER, Fireman, sworn and examined.

506. *Mr. Pendleton.*] How long have you been a fireman?—Since 2nd June, 1898.

507. You were fireman under Driver Carter on the 11th March, when running this excursion, were you not?—Yes.

508. Will you give us any information you have bearing on the case?—We left Ashburton late; I do not know the exact time. On leaving Ashburton I looked behind, as was the custom always with me. I stood on the driver's side, and saw Burroughs on the carriage looking back also. I saw no signal whatever from the station. When we got towards Rakaia the driver shut off in a place called "the dip." After he shut off steam I applied the hand-brake and the driver applied the Westinghouse brake, and in a moment or so he called on me to cut in the air on the tender-brake, as his brake did not seem to be holding. I did so, and then I saw the flash of a red light, and also the lights of a train in front of us.

509. The flash of a red light was from O'Neill?—Yes.

510. Did you not see the tail-lights until you saw O'Neill's light?—I saw them about the same time.

511. From your own knowledge, can you say anything about the acting or non-acting of the brakes?—The tender-brake seemed to hold after it was applied.