

6. That is rather far-fetched?—I said so. I said it was carrying the matter to its logical conclusion, and I said it might be urged by any opponents—I am using the word “opponents” not in any offensive sense—that that was a *reductio ad absurdum*.

7. You think there is no one to control it except the owners of the tramway?—No, I do not go so far as that. So far as the company is concerned, it does not object to all the provisions in this Bill.

8. Now, can you tell the Committee what is to prevent a corporation or company, if there is no controlling authority, getting lax in their administration, and letting their rolling-stock get out of repair and killing a few hundred people every year?—First of all, the common-sense of the owners of the tramway, because a disaster of that kind would go very far to ruin the tramway-owners, and in addition to that would probably lay those responsible for the management open to a charge of manslaughter; and, further than that, sir, so far as the Auckland company is concerned, the Auckland City Council has very wide powers under the deed of delegation of insisting upon the cars and their equipment being kept up to a proper standard.

9. I think you heard me referring to the list of accidents that occurred on the tramways in New Zealand. Can you give me any reason why there should be 186 tramway accidents under the Auckland system as against 98 with all the other systems?—I said before that that is a matter I cannot answer, but Mr. Walklate perhaps can.

10. Do you admit it to be a fact?—I do not know. That is a matter which goes to show that this Bill ought not to be hurried on in this way, because I ought to know and be in a position to answer all those things. I have not had an opportunity even of conferring properly with my client.

11. I suppose you want a special license for maiming and slaughtering people for a few months longer?—No. So far as our brake system is concerned, we want to do what the Government is asking.

12. *Mr. Luke.*] In reference to the deed of delegation between the City Council and your clients, you say that that deed would become not altogether inoperative, but it would alter the conditions of the deed if this legislation were given effect to?—No. I do not know what would be the position. I say that this unfortunate company would be in the position of being shot at by the Minister and by the Council from two opposite directions. We covenant under our deed to do all sorts of things and to abide by all sorts of regulations that the Council may make. As this Bill stands, there is nothing to abrogate our covenants with the City Council, and I cannot tell you what the position would be, except this: that the company would be in a most awkward and most unfortunate position.

13. Seeing that your undertaking has been acquired from the city for a period of thirty years, do you not think that with the growth and development of tramway undertakings certain powers need to be delegated over to the City Council or would need to be exercised by the Crown to meet the increasing conditions that may be necessary for the safety of the public?—The City Council, I think, has that power under its deed of delegation; but I am not giving evidence on this point, because I tell you frankly I have not had an opportunity of considering the matter as carefully as I desire. I do not want to mislead the Committee, but I am prepared to show the deed of delegation, and I am prepared to give evidence upon the matter if I have time to consider it carefully, but I will not mislead the Committee by making a positive statement as to the effect of the deed when I say I have not had the opportunity of considering it as carefully as I should like to do.

14. Would you, as counsel for the syndicate or company in Auckland, anticipate that it would be necessary for the City Council to have further powers if they have not got them now, and would you appreciate the City Council having those powers other than the General Government?—Well, that would depend upon the nature of the powers; but I tell you, sir, and I tell you honestly, that I do think the position of the company if that Bill passes will be, or may be, a very serious one.

15. You spoke about the *personnel* of the Commission of Inquiry that sat in Auckland. You appreciate Mr. Richardson's service and the Engineer-in-Chief's?—I do.

16. Who was the other member of the Commission?—I think there were only two.

17. You think Mr. Richardson's experience, in being confined to Wellington, is not sufficiently wide for the purpose of being altogether thoroughly expert?—No, I think not, with all due deference to Mr. Richardson, because his experience is limited to one set of conditions. He has not had the experience of other tramways.

18. When did your company get information that the Department were not in accord, and did not think the air brake was fit to be installed?—I cannot speak definitely, but I think it was four months ago.

19. Was it in writing?—I could not tell you.

20. You spoke about the prejudice in the public mind: is that real, or is it in your mind?—Well, I think that there is an unconscious bias.

21. You think the sentiment for municipalisation is sufficiently strong to prejudice it?—Yes, I think so.

22. *Mr. Poole.*] Have you represented this company before in legal matters?—I have represented them, sir. It was I who acted for them in passing the authorising Orders through the Government Departments, or my firm, as agents for Mr. Coleman, of Auckland.

23. You admit frankly that you are not familiar with the intricacies of the present situation?—Do you mean, sir, from the legal point of view or technically?

24. The technical point of view?—I do not understand all the technical features of the matter.

25. So that, frankly speaking, you are not in a position to make a defence for the company?—Am I not?