

13. And you say, then, that you almost brought your car to a standstill?—Yes.

14. *Mr. Newman.*] You say you gave warning: I suppose you rang your bell?—Yes.

15. *Mr. Macdonald.*] The Corporation offered to pay you £300, I understand?—Of course, it would have been a matter of putting in a claim in a different way for the sum. It would have gone before the Arbitration Court, and that Court would have decided what I was entitled to; but £300 was the limit under the Workers' Compensation Act.

16. *Mr. E. H. Taylor.*] And you conclude that at the present time you have exhausted all your legal remedies?—Yes.

17. *Mr. Fisher.*] At the place where this accident occurred—Courtenay Place—it is twice as wide as Tory Street: you know that?—Yes.

18. The point I want the Committee to realise is this: that the motor-wagon came to this broad street out of a narrow street, and the car was evidently coming down at a fairly rapid pace. The width of Tory Street is about 40 ft. Could the lorry have pulled up had the driver seen the car, at the speed it was travelling?—I think he could easily have pulled up.

19. Did you see the lorry when you rang the gong, or did you take the usual course of ringing at the corner?—I took the usual course of ringing before I saw the lorry.

20. You had not time to realise what speed it was travelling at?—I should think about eight miles. I should think he was within the limit, but could not form a definite idea of what speed he was travelling at.

21. What would have happened if you had not put on the emergency brake?—The lorry would have struck the car about midships, or the middle of the car; there was nothing else for it.

22. It was only the application of the emergency brake that made the accident so slight as it was?—Yes.

23. Were you so badly injured that you did not know that the motor-lorry, when it was released from the entanglement, had the steam still on, and it ran over some one else—it ran over Mr. T. W. Young, and injured him?—I do not know that of my own knowledge.

24. How long were you in the hospital?—Just on three months.

25. What expenses were you put to in connection with the whole matter, including medical expenses?—Altogether it has cost me over £100.

26. What was the £150 you got from the Corporation for?—When we decided to take this action I went along to the insurance company and made a claim by which they were to allow me £150 in case this action failed. That was to pay me the whole of my expenses.

27. I suppose you are quite satisfied that the brakes on the car were in good order—they acted all right?—Yes.

28. *The Chairman.*] Following up the question Mr. Fisher put to you, who advised you to accept £150 from the insurance company in lieu of the £300 to which you were entitled under the Workers' Compensation Act?—My solicitor.

29. On what grounds?—That I had a very good case against the State Coal-mines Department.

30. That might mean that if you failed in your case against the Crown you would lose £150 you were entitled to under the Workers' Compensation Act?—Yes, but I considered I had no chance of failing.

31. Was it your own solicitor who advised you?—Yes.

32. Did that solicitor represent either the City Council or the Crown in any way?—No.

33. Neither of the solicitors?—No.

34. How far would you say it was from the junction of Tory Street where the tram and lorry met—approximately? What space was there where the driver of the lorry could see the car?—I think it would be more than 30 ft.

35. Do you think there was plenty of room—instead of going straight across the line would there have been plenty of room for him to have turned?—Yes.

36. Even at the pace of eight miles an hour?—Yes.

37. Was he going direct across the street from Tory Street?—Yes.

38. You say that you pulled up as quickly as you could, and that the back wheel of the lorry was struck by the car?—Yes.

39. It was not incorrect, then, to say that the lorry almost cleared the car. Did the centre of the car-apron strike the back wheel of the lorry, or did he almost get clear?—He was a long way off being clear.

40. Can you remember whether the lorry-driver hesitated at all, or did he try to pull up in any way?—That I cannot say.

41. What amount of money have you received altogether from the City Council, outside of compensation?—I have been working a few months now. I have not reckoned it up. I have been earning £2 10s. a week in temporary light employment.

42. Did the City Council pay you anything while you were ill?—No.

43. Nothing?—No.

44. Did you apply to the City Council for any compensation, or for a compassionate allowance, or a lump sum?—No, I did not consider I had any claim on them. It was my intention perhaps to do so later, when I saw how I got on.

45. When you accepted the £150 from the insurance company did you sign a clean receipt?—I signed a clean receipt, and in the event of the Government paying me any compensation they were to be refunded the £150.

46. *Mr. Newman.*] What insurance company was it?—The South British.

*The Chairman* (to Mr. Radcliffe, departmental officer): Do you care to ask Mr. Barton any questions?

47. *Mr. Radcliffe.*] Yes, several questions. Barton said that when the car struck the lorry, the lorry must have been going about eight miles an hour. If that were so, evidently it was a heavy