

25. If any one stated that you were going six miles an hour, would that be correct?—It would not. It would be an impossibility. I must have a high-speed gear to do that. I did not attempt to change my speed after the accident, and there were hundreds of people to see the speed, and the makers guarantee a  $2\frac{1}{2}$ -mile speed.

26. Did you see anything of the tramway guard when the collision occurred?—I did not see the guard at all.

27. He would turn up when the stoppage occurred?—No doubt it was his place to be there when the collision occurred.

28. You say that according to the by-laws your impression is that you could cross if the tram was 40 ft. away?—Yes, 40 ft. or over.

29. You are quite certain of that?—Yes, we are supposed to cross on an angle, but I could not do that there without breaking the angle.

30. How far were you from the crossing when you got the coke?—I should say  $2\frac{1}{2}$  chains.

31. At that time, with the steam you had, your machine would not go faster than two miles an hour?—I do not think she would go that.

32. She would not go full speed when you were starting?—No, she would have to travel a few chains before you can go at a high speed.

33. It was not in the centre where the collision took place—it was more to the side?—Yes, slightly to the side. There was an express standing at the corner of Tory Street and Courtenay Place.

34. And there was another car going the other way?—Yes.

35. What distance was there between the two at the crossing at Tory Street and Courtenay Place?—I should say about 4 chains. I noticed the down car first, and as it went by I saw the other car coming up very fast.

36. You said you slacked up a bit?—When I saw the car slacking I went on. I was on the line, and if I had stopped there would have been a collision in any case.

37. You were too far on the line to get back?—Yes, I did not know but that the car was slowing up.

38. *Mr. Fisher.*] You would naturally be travelling up Tory Street on the left-hand side?—Yes.

39. Did you try and swerve round?—No. The tram-car lifted me up about 6 ft. It swung my motor right round. I was on an angle of 35 or 40 degrees before the car stopped. It took the car off the rails 18 in., I should say.

40. Where were you when you sighted the car coming?—I would be about level with the two corners.

41. If you were travelling at two miles an hour, why did you not pull up?—If I had pulled up I should have had to slow right up and back away to let the foot-passengers pass.

42. But you were blocking the foot-passengers?—The tram-car ran into me, not I into the tram-car.

43. Did the idea come into your head that you could clear the car?—Certainly; I thought I had ample time to get across. This is a "stop on request" place. The cars as a rule slow down there, and I never thought this car was going to keep on at the speed it was travelling.

44. You relied on the car slowing down?—Yes. I had ample time to get across if he had slowed down, but not at the speed he was coming. The car was coming very fast, and I was going very slow.

45. And you say it is impossible to get more than two miles an hour out of the wagon?—Yes, it is impossible to get more than two and a quarter miles an hour at the utmost, and you must have your steam at high pressure to do that. The makers claim that she will go two and a half miles, but I do not believe it at all.

46. Did the force of the impact throw you off the line?—Yes.

47. You had not time to shut the steam off?—Certain I had, or she would have pulled the car over. There are four wheels sticking up: there are spigots there to fit into two things. As they backed the car off they pulled the spigot and let the steam off. My steam had in the meantime risen to 120 lb. or 130 lb. pressure. Before we attempted to work the motor-wagon Mr. Cable tried it, and said it was a lucky thing the car struck my back wheel; otherwise it would have cut the motorman in two. They came and took the marks.

48. *The Chairman.*] Is Mr. Cable the electrician?—He is the Assistant Engineer.

49. *Mr. Fisher.*] What would have happened if you had pulled up in a line between the two corners when you first sighted the car? You were going two miles an hour and were at the two corners of the street when you saw the car coming?—I should have backed up. If I had attempted to stop at the footpath I should have had Mr. Doyle after me. We are not allowed to stop in the crossings. If I had stopped for a second I should have got a letter asking me to explain why I had done so.

50. *Mr. Dive.*] You said you almost stopped to let the first tram pass?—Yes.

51. After that you were going on and saw the other car?—I did not see the other car I collided with until I let the first car go by. I did not see the two cars at once.

52. I understood you to say there were 4 chains between the two cars?—Yes, but I did not see the two cars at first. I almost stopped, but kept the engine moving. I went to go across, and then saw the other car. I was just approaching the footpath when I stopped.

53. You were out of Tory Street when the first car came?—No, I was not out. I would have stopped, but as the car went by I kept dodging on.

54. You do not know what distance there was between the two cars?—I should say there would be about 4 chains. The down car was not going very fast—it was much slower than the other car.

55. *Mr. Newman.*] What was the weight of your car with the load on?—About 9 tons 3 cwt.