

4. *Mr. Rosser.*] Is it not a fact that that book had to be subpoenaed into Court to substantiate a case of furious driving?—The book has been produced in Court on several occasions. I think there was a subpoena served in Lowe's case to produce the book.

5. That was after the refusal of the barn-foreman to allow the men to look at the book?—That was perhaps an individual refusal. The book was produced in Court when the case came on, by subpoena.

6. *The Chairman.*] Had you refused to produce the book previous to being served with a subpoena?—No. The first application to me was the application on the subpoena, and the book was then sent to the Court.

HORATIO JOHN HOOPER BLOW examined. (No. 11.)

1. *The Chairman.*] You are the Under-Secretary for Public Works?—Yes.

2. And this Bill has originated from your Department?—Yes.

3. And you are thoroughly familiar with all the provisions in it?—I think so.

4. You have also heard the evidence given here yesterday and to-day?—Yes.

5. Would you mind explaining to the Committee just how it appears to your Department that the Bill is necessary?—The Department thinks that the law should be changed as proposed in this Bill, and at the same time thinks that the changes proposed are not of a specially revolutionary character. Clause 2 of the Bill, which provides for the inspection of tramways, is practically the existing law, but with a more easily applied penalty. The existing law provides that the Minister's remedy is to close the tramway. That remedy has been applied once in New Zealand, but it is a very severe remedy indeed, and it was thought necessary to re-enact the clause in a slightly changed form, and that a different penalty would be an improvement, and the alteration proposed is quite as much in the interests of the owners of the tramways as in the interests of the public. Clause 3 is a change in the law, but it is not a new proposal, because it appeared in the Tramways Amendment Bill of two years ago, and it seemed to the Department that it was required in order to bring the tramway legislation into accord with other similar legislation. For example, no steamer can carry passengers without being examined, and passed, and certified; every steam-boiler has to be examined and passed, and a tramway-car is an appliance at least as important as an ordinary steam-boiler, and if inefficiently equipped is capable of doing more damage. Clause 4, I think Mr. Myers admitted, was in accordance with the existing practice. That is so, and it is desirable to make the law in accordance with the practice. The practice is essential. Clause 5 is the corollary of clause 3. It is no use empowering the Minister to license cars unless the municipal authority ceases to exercise that power. Clause 6 is necessary, first, in the interests of the public, and, secondly, in the interests of the proprietors of the tramway.

6. *Hon. Mr. R. McKenzie.*] Under the existing law every tramway accident has to be reported to the Department?—Yes, all serious accidents.

7. And do you also keep a copy of the evidence and the verdict when an inquest takes place after a fatal accident?—Yes. We take care that is supplied every time a fatal accident occurs. I ask the tramway-proprietors to give a report, but in addition to that I get one from our own officers.

8. As a rule I suppose one of the Department's officers attends the inquests?—Not as a rule, unless the circumstances require him to be present.

9. Have there ever been reports made to the Department about runaway cars in Auckland, and the distance they travelled after the brakes had been applied?—Yes, there have been. I have only had a few minutes to look up the reports, but I have found a few. There was a fatal accident into which there was an inquiry in November, 1907, at which the motorman gave evidence that the car travelled two lengths after striking the deceased. Of course, the motorman tried to pull the car up before striking the man, but the car travelled two car-lengths after striking him. The jury returned a verdict as follows: "That the cause of death was being crushed by a tramway-car; that death was accidental and by misfortune; and the jury are of opinion that no blame whatever is attachable to the motorman, and that the brakes attached to the car in question (No. 31) acted insufficiently." That was reported by the tramway company under date 7th November, 1907.

10. Have you any more similar cases?—Yes. This has reference to the same inquiry. A witness gave evidence that before being knocked down the man was practically from 25 to 30 yards off, and that the car travelled two car-lengths after striking the man. At another inquiry previous to that, on the 12th April, 1907, the electrical engineer of the tramway company was called and gave evidence. He said, "The distance a car would skid after the application of the emergency brake depended upon the condition of the rails and the rate of speed at which the car was travelling. A car travelling at from ten to fifteen miles might, on a bad line, skid from 60 to 75 yards. In the city limits regulations of the company provided a maximum speed of fifteen miles an hour, but this did not refer to Queen Street, where they only travelled about six miles. According to the evidence the motorman, he thought, had used exceptionally good judgment. To a great extent he blamed the salt water for the greasy condition of the rails." The Government Engineer, in reporting on a similar accident in March, 1907, says, "From several observations I have made, and particularly on the steep grade in Parnell which I travel on every day, I am of opinion that it is unsafe to run the cars on the steep grades at more than about eight to nine miles per hour. If the speed is more than this, the momentum is so great that the car skids even if the wheels are locked by the emergency brake; and even with a dry rail the car cannot be stopped in three lengths, whilst if the line is wet and greasy it is hard to say exactly where they will bring up." Then, in another case of a fatal accident, a man named Shepherd, in giving evidence, said, "The car, which was travelling for most of the distance at a speed of twelve to