

311 I never heard of it before. You said there was no right of appeal?—That is the way I read it.

312. Have you no appeal to Parliament?—I am afraid you are taking me into the field of law I do not know what form of appeal there would be to Parliament.

313. Supposing the Engineer-in-Chief insisted on your doing something unreasonable, would you not have an appeal to the Government?—Presumably not, because the Engineer-in-Chief is the person appointed by the Orders in Council—or most of them.

314. The Minister has not ordered you to alter your rolling-stock, has he?—No, except as to the brakes. We have been instructed now by the Under-Secretary to alter our brakes in conformity with the finding of the Royal Commission.

315 What Commission?—The second Commission.

316. Were you ordered by the first Commission to do anything?—We were requested to alter them then, and to put on a more effective brake, and it was then we suggested the air brake.

317 You know the law on this point: suppose you refuse to carry out the instructions or orders you got from the Department, what remedy has the Department to compel you to carry out their requests?—I take it that it would lay under the Public Works Act.

318. However, the Government has taken no action to force you to alter your system of brakes?—They have taken no further action than to instruct us to fit on an approved brake.

319 You said that power to order an inspection should not be given to any one man without the right of appeal?—It seems to me that there should be some appeal.

320. Would there not be an appeal?—That is where I fail perhaps to understand the clause.

321 You stated that you got instructions from the Department after the first Commission to improve your brakes?—Yes.

322. I think you did see me about that by way of an appeal, because you thought they were not suitable to your under-carriage?—The first Commission recommended that we should put on a more suitable brake, and the Department forwarded that recommendation to us, and instructed us to carry it out. Then, in pursuance of those instructions the chairman of the company came down to Wellington and saw your predecessor—I think, Mr McGowan—and the Under-Secretary, and he suggested that we should fit the air brake to all the cars. But some objection was raised, and he was informed that sample sets might be tried. These sets were got out, and tried on the cars, and inspected by the Chief Engineer. The permission was not given. And then we come to the last Tramways Amendment Bill, when the matter came before you.

323. You saw me before that, and your objection was that the structural style of your carriages would not allow you to apply the pneumatic brake?—That was the magnetic brake. We were never called upon definitely to put in any form of brake, but we were instructed to put on a brake that would conform with the requirements of the Commission.

324. If the Commission considered that the magnetic brake was the best for your system, do you think you would be likely to be called upon to put on the magnetic brake?—The first Commission did not tell us to put on the magnetic brake, but simply said we should put on some effective brake.

325. But after that you told the Engineer-in-Chief you were going to get some other sort of brakes?—The Freund brake was then suggested. We objected to the magnetic brake, because we could not adopt that without altering our cars.

326. Do you think the Engineer-in-Chief would approve of it?—I cannot say whether he would or not.

327 Did he ever give you to understand he would approve of the magnetic brake?—I gather that he would have approved of the magnetic brake.

328. Would it be to your advantage to have a Government electrical engineer to examine your cars and see which was the most suitable brake?—I sincerely hope that the brake question has been finally settled. I think an experienced tramway engineer would be more likely to give satisfaction than a man who had not had an extended tramway experience.

329. Would you prefer a fully qualified electrical tramway engineer in preference to any other man?—Yes.

330. Would you have any real objection to inspection by a thoroughly qualified electrical engineer?—None whatever

331. Do you think it would be an advantage to have such a man to consult with?—Well, yes.

332. Take clause 5: With regard to the question of overcrowding, is it customary for you to have overcrowding in Auckland during holiday-time?—We are restricted by the licenses issued by the City Council.

333 Do you consider that Auckland is freer from overcrowding than any other system in New Zealand on account of those licenses?—I am really not in a position to judge fairly as to other systems, but there is no overcrowding, except to a very small extent, in Auckland.

334. Because you are under restrictions and the others are not?—Yes, not only by the licenses, but the Council Inspector watches the matter very closely

335. Overcrowding may occur occasionally even if your conductors and officers try to prevent it?—To some extent, but I am satisfied that our officers do not permit unlimited overcrowding.

336. Have you known any of your conductors to refuse to move the cars until people leave?—Frequently

337 And I suppose if other conductors adopted the same attitude on the other systems in New Zealand it would prevent overcrowding?—I do not know what happens in other centres, but I know that for several weeks in Auckland the cars simply carried those people who were seated.

338. You are not aware of any action taken by the Government to prevent you carrying as many as you like?—No.

339. Do you think the Government are quite prepared to leave you to deal with the public in that respect?—I have no means of knowing