

74. Did you say anything to your fireman for not carrying out instructions?—No. .

75. Did you see Scroggy Hill crossing when you ran over it?—Just saw it as we ran over the top of it.

76. Did you know it was Scroggy Hill?—I knew it was Scroggy Hill.

77. You had a working time-table with you?—Yes, I think so.

78. Did you know the distance between Scroggy Hill crossing and New Lynn?—I knew the distance approximately.

79. You say you knew when you were at Scroggy Hill crossing?—Yes. About half a mile. I think, or a little over.

80. As it was foggy did you take any extra precautions in the matter of the speed of your train after you passed Scroggy Hill crossing?—I thought I was getting down closer, and from ten to fifteen miles an hour was running cautiously.

81. What is the distance from Scroggy Hill down to New Lynn?—I do not know.

82. Have you no idea?—About three-quarters of a mile, I suppose, or half a mile.

83. As you were running through a fog and you knew that you were about three-quarters of a mile from a station at which you had to make a crossing, do you not think it was desirable for you to have slowed up, to a walking-pace if necessary?—No; I expected the fog-signals to be there any minute.

84. Why did you expect that?—Because it is in the rule-book.

85. Have you ever worked at a place where you have had a fog-signal?—No.

86. What particular reason had you for expecting a fog-signal this time?—As I had never worked in a fog before I thought it would be there.

87. You expected, we will say, the tablet porter to put out fog-signals?—I did not know who was to put them out.

88. You expected fog-signals to be there. Do you not think that you yourself should, as a matter of duty, have also taken precautions?—I thought I was taking precautions.

89. Running down a bank at twenty-five miles an hour on a foggy morning when you did not know where you were?—From the bottom, when I thought I was getting close, I slowed down to ten or fifteen miles an hour.

90. Why did you not reduce your speed from Scroggy Hill—from the top?—I was trying to run to time.

91. But is not the public safety the first consideration?—It is supposed to be.

92. Have you ever been found fault with for running late in the interests of the public safety?—You are expected to run your train to time.

93. You are expected to keep to time, but does not the rule-book say—you have a rule-book, of course?—Not now. I did have one.

94. You had one as a driver, did you not?—Yes.

95. You passed examinations in rules?—Yes.

96. Has not the rule-book got printed on the top of every page that the public safety is the first consideration—the first duty?—Yes.

97. As you were travelling through fog, do you not think it was your first duty to take precautions in the public safety, even if you ran late: that was your first duty, was it not?—Yes; but I thought I was taking precautions all the time.

98. Running down a hill at an ordinary speed in a fog when you did not know where you were?—I knew where I was for half the distance.

99. Which half was it: was it the first half when you started from Henderson, or when you got over Scroggy Hill bank?—Scroggy Hill.

100. You knew where you were, then, coming down?—No. I thought I had covered a certain distance.

101. You either knew or you did not know?—I did not know.

102. Then you did not know and you took no precautions?—I reckoned I was taking precautions.

103. What precautions did you take?—I came down at ordinary speed.

104. You came down at ordinary speed in a fog without knowing where you were, and you call that taking precautions. You had a Westinghouse brake which would have enabled you to slow up, according to your own admission—to pull your train up if necessary on the bank; yet you came down at an ordinary speed. Did your fireman tell you or give you any guidance when you were getting down the hill: did he say you were close or were far off, or what did he say?—He did not say anything. He blew the whistle down at the bottom, and I asked him then.

105. What did he say?—He said, "We must be getting close."

106. Had you previously asked him?—Not till then.

107. When he said that you must be getting close did you as driver at once apply your brakes and slacken speed?—Yes.

108. To what speed did you slacken?—I had taken the brakes off just previously, and just as I did so I saw the home signal.

109. You ran right down on to the home signal before you knew where you were?—I did not know where I was till the whistle was blown. If I had known where I was I would not have released the brake.

110. And you did not ask your fireman where you were?—Not till the whistle was blown.

111. How far were you from the home signal when you saw it first?—Twenty or thirty yards.

112. What was the weight of your train that day?—I do not know.

113. Was it a train that you could conveniently handle? You had any amount of control over it?—Yes.