

199. Assuming, for the sake of argument, that an engine did emit a spark on such a day in such a wind, where would that spark land?—If an engine did throw a spark it would have landed in the paddock, because the wind was blowing the smoke straight across. The smoke never came near the carriages at all, but went into the paddock.

200. Would you think it at all likely, or even possible, for a spark to fall on the railway-line about halfway between the line and the fence?—I consider it almost impossible, because the coal, after the substance is out of it, is very light and would be carried away with the smoke in the wind that was blowing that day.

201. Have you ever seen passengers throw off cigarette-ends, cigars, matches, and so on from the train?—I have seen a party throw off a match.

202. *Mr. Poynton.*] Do you say that, as a matter of fact, they do?—Yes.

203. *Mr. Beattie.*] I have a report made by you to the running-shed foreman: do you recognise it?—Yes, I do.

204. In that report you say, “I beg to report *re* fire at Rakaia that I know nothing about it. This engine I never saw throwing sparks, and the ash-pan is in good order.” That was written shortly after the occurrence?—Yes, when inquiries were made about the fire.

205. Did you see anything of the fire that day?—No.

206. *Mr. Lane.*] You say that sparks could not be seen on that day. If a black smoke was coming out of the funnel you could see the sparks against the smoke, could you not?—Well, you might see sparks against a black smoke.

207. It is almost impossible to prevent sparks coming from an engine, is it not?—It is almost impossible for sparks to come from these engines, seeing the way they are made and the quality of the coal we use.

208. But you cannot actually prevent them: it would stop the draught would it not?—No.

209. What vehicle is generally next you in the express train?—On that day, to the best of my recollection, we had a roadside wagon—a wagon for carrying roadside goods.

210. And then there would be a carriage?—Yes, the carriages would come next.

211. When on your engine you are looking ahead, of course; and how is it that you see people throwing matches from the carriages when you are in that position?—I once saw a man throw a match from a carriage at Dunsandel.

212. But when you are attending to your engine you do not know what is going on behind you?—No.

213. You look out in front?—Yes.

214. It is always a heavy time at the New Year holidays?—Yes; the passenger traffic is always heavy then.

215. *Mr. Macandrew.*] When you are driving you are supposed to keep your eye on the guard's van also, are you not?—Yes, when not otherwise engaged.

216. So that it would be quite possible for you to see anything that was thrown out of the carriages?—Yes. I have to turn round to see that everything is following in proper order.

217. The luggage-van next the engine does not hide your view if you lean out?—No.

218. *Mr. Poynton.*] What sort of coal were you burning?—To the best of my recollection we had Brunner.

219. That is a hard coal?—Yes.

220. Which does not give out sparks freely?—It is almost impossible to throw sparks from it with the plates and the smoke-box.

221. Do you use other coal?—Not on this section.

222. What was the nature of the spark-arrester in your engine on that day?—It was a perforated plate.

223. Had you examined it about that time?—I examined it every morning.

224. And about that time it was in good order, with no break in it?—Yes, that is so.

WILLIAM HILL, sworn.

225. *Mr. Beattie.*] You are an engine-driver?—Yes.

226. How many years have you been on the line?—Just on twenty-six.

227. You have been on an engine all that time?—Yes.

228. How long have you been driving in the Canterbury District?—The whole time.

229. Do you recollect the 2nd January, 1897?—Yes.

230. Would you identify your time-sheet for that day?—Yes, the sheet you show me is mine.

231. What engine were you driving?—No. 36.

232. It has been said that either your engine or one driven by Driver Davidson was throwing sparks on leaving the Rakaia Station. What was the condition of the spark-arresting appliances of your engine?—They were in good order.

233. No defect of any kind?—No defect whatever.

234. In leaving the Rakaia Station with a train of the size you had, do you think your engine would be even remotely likely to throw sparks?—I cannot see how it could. I was working the engine light, as there were two engines for that train.

235. What was the length of the train?—About fourteen total.

236. Your engine was the second engine?—Yes.

237. Did you see any fire alongside the line?—I saw a fire burning on the left-hand side, going south.

238. About what size was it?—I could not say the size. I only saw a small fire.

239. Was it inside the railway-fence or outside?—It was inside.

240. What was its position?—It was about half-way between the line and the fence.

241. Your engine was coupled on immediately behind Davidson's engine?—Yes.