

349. We are told there was a fire alongside the line on that date, and that it was noticed almost immediately after the train had passed a certain spot. Admitting that, what is the probability of the fire having been ignited by the engine?—I do not think it could have occurred from the engine, because all the spark-arresting appliances were in good order.

350. You do not think there was any probability of a spark having been emitted from the engine?—No.

351. I suppose the risk of such a thing is greater in proportion to the load of the train?—Yes. The bigger the load the greater the risk will be. The engine would be working slightly harder.

352. Does your engine throw out sparks even when you have a big load on?—No.

353. Then we may put it that it is extremely improbable that it threw sparks on this occasion?—It is quite improbable that the fire was caused by sparks from the engine.

354. Could you account for the fire in any other way, assuming it did take place as the train was passing?—Not unless it was caused by a passenger throwing a match or a cigarette from the carriage.

355. It is more likely to be caused in that way than in any other?—Yes.

356. Have you seen passengers throw out lighted matches from the train?—Yes.

357. What coal were you burning on this occasion?—Hard coal.

358. Is that the safest coal?—Yes.

359. What particular coal were you burning?—Brunner and Cardiff mixed.

360. Is that regarded as a safe coal?—Yes, quite safe.

361. And the engine was being worked only light at the time?—Yes.

362. *Mr. Purnell.*] I suppose it is possible that sparks might be emitted from the engine without your noticing them?—I have all the apparatus in perfect order.

363. But sparks might pass your engine that you would not see?—They would have to be very small ones.

364. Do you know what space is taken up by the ballast on the line?—I do not.

365. If a passenger threw a match out of the window, would it not be likely to fall on the gravel?—It might reach the tussock.

366. There was a strong nor'-wester blowing on this day?—Yes, a medium nor'-wester.

367. Would that not cause a stronger draught from the engine?—A stronger nor'-wester would cause it.

368. I believe that in some places the railway authorities have ploughed up portions of their reserves so as to stop fires. They had not done so at this place, had they?—I might have noticed it if they had done so at that place.

ALEXANDER MCKEE, sworn.

369. *Mr. Cresswell.*] You are a fireman and spare engine-driver?—Quite correct.

370. How long have you been in the service?—From the 20th October, 1884.

371. What part of that time has been spent on the engines?—Since about 1889.

372. Running over the Canterbury Plains?—Yes, principally.

373. On the 27th January, 1898, were you on Brooker's train?—Yes, in the capacity of fireman—a post I had held for five years.

374. Do you recollect passing Hinds?—Yes.

375. Did you see anything of the alleged fire?—No.

376. Did you examine the spark-arresting apparatus on this engine?—Yes, on the morning of that day.

377. When did you next examine it?—On returning to the shop from the trip.

378. In what condition was the apparatus then?—In perfect order. There were no holes above the regulation size.

379. *Mr. Poynton.*] Was it a perforated plate?—Yes.

380. *Mr. Cresswell.*] You have heard it said that the fire was noticed almost immediately after the train had passed the spot. Assuming that to be correct, do you think there was any probability of the fire having been caused by a spark from the engine?—It was absolutely impossible.

381. Why?—Because the spark-arresting appliances were in perfect order, and would prevent the emitting of any sparks. The spark-arresting appliances are equal to the task set them.

382. What was the draught on the fire at the time?—The engine was working very lightly, and there was a very small volume of exhaust.

383. The conditions were all unfavourable, then, to the flying of sparks?—Quite so.

384. Have you ever seen this engine throw sparks?—No, not in my five years.

385. Do you know what coal was being burned on that occasion?—Yes; screened Brunner and Cardiff mixed.

386. Is that a safe coal?—Yes; the best known steam-coal there is.

387. Have you seen passengers throw lighted matches from the train while it was in motion?—Yes.

388. Have you seen anything else thrown off a train that would be likely to cause a fire?—Cigar- and cigarette-ends.

389. And in a dry season, when the grass is dry and inflammable, a fire would be likely to start in that way?—Yes.

390. If a passenger threw out a match, would the wind carry it any distance?—It was only slightly blowing.

391. And the wind would carry a match some distance from the rails?—Yes.