

242. And there was a high wind?—Yes, a hard nor'-wester.
243. As a practical driver, do you think it is likely, even assuming that Davidson's engine had thrown a spark, that that fire would have been going as you saw it by the time your engine came up?—I cannot say it would.
244. You think it is unlikely?—It is very unlikely.
245. It would not have had time to catch sufficiently?—No, it would not.
246. You were burning hard coal?—Yes, Brunner.
247. And with this hard coal do you find your engine liable to throw fire?—No.
248. A previous witness has told us that he saw red-hot sparks?—I have never seen a red-hot spark on a sunny day.
249. In all your experience?—In all my experience.
250. Supposing your engine was emitting very black smoke, is it not likely that sparks would be emitted at the same time?—No, it is not, because there would not be sufficient blast on to lift the sparks.
251. That would be the least likely time for sparks to be emitted?—Yes. The fire would be black, and would not lift.
252. Assuming a spark to have been thrown, where would it have landed on a windy day like that?—In the paddock, 2 chains away.
253. Do you think it is possible that on a day of that kind a spark could have been thrown that would have landed half-way between the train and the fence?—Seeing the blast we had on the fire, it is not likely a spark was thrown, and if it had been thrown it would have gone further than the railway reserve in the strong wind that was blowing.
254. You assisted as far as Timaru?—Yes.
255. Have you in your experience seen passengers throwing out cigarette-ends, cigars, matches, or anything of that kind?—Yes; while I have been looking round I have seen them doing it.
256. While the train was travelling?—Yes; it is one of our instructions to look back.
257. I have the Head Office copy of Driver Hill's report made on the 2nd January. I should like the witness to identify it?—That is my report.
258. In that report you say, "I beg to report that when passing Rakaia there was a fire burning about half a mile past the station—I am unable to state how it originated—on the left side of the line. It was not started with this engine, as the perforator is in good order in smoke-box and ash-pan." That is a perfectly true statement?—Yes.
259. *Mr. Lane.*] Where were you when you first saw the fire?—On my engine.
260. And what was behind you?—The van.
261. And Davidson's engine was just in front?—Yes.
262. Did you see anybody about?—No.
263. And you do not think it was possible for Davidson's engine to have started the fire?—No.
264. Yet it was apparently just starting when you saw it?—I could not say that.
265. How large was it?—It was not very large. I only caught sight of it.
266. Where was your engine when you saw it?—I saw it over the tender of my engine.
267. It could not have been caused, then, by a cigarette from any of the passengers?—No.
268. I suppose it would be bad driving, with a light train and two engines, to so stoke up as to emit sparks?—Yes.
269. On leaving the station is the line downhill or uphill?—It was on the fall where the fire occurred.
270. As you leave the station it is uphill, is it not?—Yes; but where the fire was it is on the fall.
271. *Mr. Poynton.*] How long before that had another train passed that spot?—About 10 o'clock.
272. *Mr. Lane.*] Is there not a train coming in from Ashburton at 12?—Yes.
273. And you were going out at a quarter past 12?—Yes.
274. *Mr. Beattie.*] The 2nd January, 1897, was a Saturday, and the Timaru train did not run on Saturdays.
274. *Mr. Poynton.*] Then, the last train to pass the place where the fire was seen would pass about 10 o'clock?—Yes, that is so.

ALBERT LEES, sworn.

275. *Mr. Beattie.*] You are a fireman on the New Zealand railways?—Yes.
276. How long have you been in the Locomotive Department?—About seventeen years.
277. To whom were you firing on the 2nd January, 1897?—To Driver Hill.
278. On engine No. 36?—Yes.
279. You would be on the left-hand side of the station, going towards Timaru?—Yes.
280. On the seaward side?—Yes.
281. Do you recollect leaving Rakaia that day?—Yes.
282. Did you see anything of a fire alongside the line about half a mile out of Rakaia?—No; I would be busy with my firing. My mate, in looking round, would probably see it.
283. As a practical fireman, do you think that the engine at that time was throwing fire?—I do not. I saw the perforated plate before the engine left the shed in Christchurch, and it was then in good order.
284. All the spark-arresting appliances were in good order?—Yes.
285. Considering the pulling the engine was doing, would it be likely to throw fire?—No; if the engine had been throwing fire the fact would have been reported by the driver who was previously on the engine.