

If Branchman Thompson first, and then Officer Stevenson, found the door, it is surprising they did not locate the steps leading to the cellar, as the entrance from the right-of-way leads on to the landing at the top of the basement stairs. It is surprising, as they then felt the heat of the fire, that a lead was not played down the stairs. Did they in fact find the door? Their first statements made to the member of the Fire Board, who took statements from them, did not mention that they found the door and actually went through it. It is difficult to understand how they could have neglected to recall an actual entry through the door when first giving their statements. It is also difficult to understand how they could have been in the position as described, in view of the obvious heat conditions that must have existed in the vicinity of the basement stairs, which must have been in the path of heated products of combustion escaping from the cellar to the upper floors.

147. For the vital period of about ten minutes after their arrival the only action of the brigade (apart from Officer Burrows' visit to the building with Mr. Roger Ballantyne to inspect another means of access to the cellar) was this abortive attempt to enter through the right-of-way. In our opinion, inactivity during these vital ten minutes removed such chance as there was of confining the fire to the cellar, or Congreve's building. The remaining members of the brigade stood by awaiting orders. The propriety of this apparent inaction we discuss later on.

On the evidence there could not have been much difficulty in reaching the double doors. The remaining 25 ft. to the door leading to the cellar undoubtedly would have more difficult.

148. Counsel for the Crown naturally commented somewhat severely on the omission by Officer Stevenson and Fireman Thompson, from their statements to the Fire Board officer shortly after the fire, of the fact as stated by them in evidence of having discovered and actually entered the door from the right-of-way into Congreves. It may be the firemen in question did not realize the importance of the statements they were making, but it does, considering the importance of ascertaining what the brigade did during the first vital ten minutes after its arrival, seem strange that, having described the purpose of their entry into the right-of-way and their progress up it, they could omit to say that they achieved their object by finding the door and actually entering through it.

They knew, or it was their own fault if they did not know, what they were looking for and where to find it. If they found the door and entered it with a loaded hose in their hands, it becomes still more difficult to understand why they did not operate it since they must have been, on their own account, practically at the head of the stairs.

The time they took, assuming as they said in evidence they found the doorway and entered, in reaching the door and failure to take advantage of the position they reached and to use the hose have been the subject of strong criticism by counsel for the Crown, counsel for Ballantynes, and counsel for the accident insurance underwriters.

149. Mr. Hutchison, who represented the Fire Board, said that the only criticism of Officer Stevenson that could fairly be made was that he did not inquire for more information from the man who spoke to him at the entrance to the right-of-way. What he had been told was:—

It's in the cellar, a cables fused.

To the question put to Stevenson:—

Q. Well, do you think that if you had got some further information from this man that would have enabled you to save time on that mission?

His answer was—

A. Yes, sir. Looking back over the events now, it would have saved time and might have been wiser to have got more instructions from the person standing there. At the same time, he didn't volunteer any more information than what I have spoken of, and I didn't stop. Looking back on it now, I do agree that it might have been wiser to have got more instructions from him.