

392. *Mr. Purnell.*] You do not pretend to say you threw a lighted match out?—Not on that occasion.

393. It is customary for the engine to fire up about this part, is it not?—The fire is attended to regularly.

394. And at this particular place they do attend to the fire?—No, not at that spot.

395. But is it not usual to fire up there?—It would not be usual to attend to it there any more than at any other part of the road. It all depends on how the engine is working, and on several other conditions.

396. The spark-arrester consists of a perforated plate?—Yes.

397. What size are the holes?— $\frac{3}{8}$ in. by $\frac{1}{8}$ in.

398. And therefore a small spark would go through the holes?—That would be impossible.

[For continuation of evidence in these claims see evidence given in Christchurch and Wellington.]

CHRISTCHURCH.

FRIDAY, 16TH FEBRUARY, 1900.

WILLIAM LAWRENCE ALLAN, SWORN.

1. *Mr. Poynton.*] What were you, Mr. Allan, at the time of the fire on Mr. Gardiner's property and the Acton Estate?—I was the manager of the Acton Estate.

2. Where were you when the fire occurred?—I was having lunch at the time.

3. How far from the origin of the fire?—About three miles.

4. You can throw no light on the origin of the fire, can you?—No.

5. Your evidence will be as to the damage?—Yes.

6. Can you remember the amount of damage done to the Acton Estate?—I could not give you from memory the chainage of fencing destroyed and the acres of grass destroyed, or the acres of plantation destroyed, but I can give you what I thought was the value per chain and per acre for the grass and the plantation.

7. Will you give us, then, the actual damage?—There were so many miles of inside fencing—fencing within the company's property—and there were so many miles of boundary-fencing.

8. There was a claim sent in. Was that accurate?—Yes.

9. Amounting to £573?—I do not recollect the amount.

10. Particulars were sent in at the time?—Yes.

11. The department's estimate is £516?—There is not much difference between them. They would value the fences or the plantation lower than we did. At the time I put the plantation in trees were dearer than they are now.

12. Were the railway officials with you when you estimated your loss?—Mr. Burnett and Mr. Lowe were with me several times after the fire, looking at the damage that had been done.

13. And you have no doubt as to the accuracy of their measurements?—No.

HENRY ARCHIBALD, SWORN.

14. *Mr. Poynton.*] What are you?—A fireman.

15. Are you also a driver?—An acting-driver.

16. *Mr. Stringer.*] How long have you been in the Railway Department?—About sixteen years.

17. And for eleven of that you have been on the engines?—Yes.

18. You have been a fireman on the express between Oamaru and Christchurch, I think, for nine years?—Yes.

19. Were you the fireman on the 2nd of January, 1897?—Yes, from Christchurch to Oamaru.

20. You were, I think, on Davidson's engine?—Yes, the leading engine.

21. Was your engine throwing sparks on that day?—No. I fail to see how it could have thrown sparks. It was a compound engine, which exhausts steam at a much lower pressure than a smaller engine, so it was almost a matter of impossibility for it to throw sparks.

22. It has been suggested that red-hot sparks were seen emitted in black smoke from the engine. Is that probable in daylight?—They must have very good eyesight. I have never seen a spark in daylight. I think it is impossible.

23. Is it likely that sparks are being emitted when thick, black smoke is being emitted?—There is a poorer chance than ever, because it shows there is very little exhaust.

24. What was the wind on that day—north-west?—It was right across the track.

25. Was it a light train or a heavy train?—There were about fourteen or fifteen total, and that was a light load for two engines.

26. Supposing sparks were emitted, was the wind such as to carry them any distance?—It would have carried them right away from the line, at any rate.

27. It was not likely to have dropped them on or near the line?—No; but it was almost impossible for the engine to throw sparks.

28. For the reason you have already given?—Yes, owing to the exhaust and being a compound engine.

29. Is it within your knowledge that passengers sometimes throw out lighted matches, and cigars and cigarette-ends, burning?—Yes, I have seen it done often. People on the platforms often throw a cigar or a cigarette butt away.

30. *Mr. Lane.*] You were on the first engine?—Yes.

31. Did you see any fire on the grass?—No.