

126. You spoke about the evidence given by Mackay. I think you were wrong in what you said. He said "sparks," and when shown his statement to Mr. Burnett, in which he had used the word "embers," he said he meant "sparks." According to the evidence of the two men on the engine there was no fire, and they saw no one anywhere about, and the driver of the second engine says he observed a small fire when looking behind over his tender. Can you, then, give us any explanation of the cause of the fire?—I can only suggest a theory, because we have no evidence one way or the other. It is all supposition. My theory is, that from some previous cause, with the actual nature of which I am at present unacquainted, a small mouldering fire had existed there for some time before the express train came along. It was, in all probability, on the lee-side of a tussock or a sod or Maori-head—it might have been there for hours—and when the train came along the eddy of wind caused thereby might have fanned this smouldering fire into flame. If you stand on the lee-side of a train, especially when a high wind is blowing, the eddy is most noticeable, and my theory is, that the fire existed before the train came along, and that this swirling eddy of wind passing under the train, fanned it into flame.

127. That is how you think the fire started immediately after the express passed?—That is my supposition.

128. Do you think the fire could have been in the dry grass stubble for some considerable time before the express came along?—Yes, I decidedly do, because if it was on the lee side of any raised portion of material it might smoulder for a long time before it burst into flame. It might require a special fanning wind to blow it into flame.

129. After hearing the evidence, that is your explanation of how the fire started?—I merely put it forward as a theory, and I think it is more probable that is the correct explanation of the fire than the theory that it was started by the engine. I consider that the theory that an engine-spark caused the fire is based on such an utterly unreliable and supposititious foundation that I fail to see there is any reasonable ground for considering that the engine was the primary cause of it.

130. Do you consider that Mr. Mackay, who no doubt thinks he is telling the truth, is mistaken when he says that looking towards Ashburton he saw smoke and sparks coming from the engine, and that shortly afterwards the fire started?—I think he is mistaken. With the best intentions I think he is mistaken. Unless a man is a trained observer of phenomena he is liable to be mistaken.

131. Your practical evidence is, then, that you use the most approved and latest means and appliances for arresting sparks, but you admit that you cannot actually stop them from being emitted by the engine?—That is practically what I contend. We have the best known appliances—the most efficient appliances—known to the railway world, but the absolute and positive prevention of sparks has not been arrived at in actual working anywhere.

132. Have you ever seen a fire start that was caused by sparks from an engine?—No.

133. *Mr. Poynton.*] How long before the express train had another train passed?—About 10 o'clock—two hours previously.

WAIRANGI.

THURSDAY, 1ST MARCH, 1900.

JOHN YOUNG, sworn.

1. *Mr. Oliphant.*] What are you, Mr. Young?—A farmer, residing at Wairangi.
2. You remember the occurrence of the big fire that took place here some few years ago?—
Yes.
3. It burnt a large portion of your plantation?—Yes.
4. Do you remember the date?—The 15th December, 1896.
5. Where were you at the time of the commencement of the fire?—I was carting in bark to the shed.
6. What time in the afternoon was the fire?—About half-past 4.
7. There is a train goes past about that time?—Yes, the Auckland goods train.
8. You saw it go past?—Yes.
9. You might tell us what you saw as to the commencement of the fire as you saw it?—I was carting in the last load of bark as the train passed. Shortly after it passed I saw a fire start in the swamp. I would be about a mile and a half in a straight line from the railway-line at the time.
10. Whereabout did the fire start—where we saw to-day?—Yes.
11. On the edge of a swamp about a mile from here?—Yes, a little over a mile.
12. Did you see what occasioned the fire? Did you see any sparks emitted from the engine?—No; I only saw the smoke rising. I could not see sparks coming out of the engine.
13. How soon after the train passed was it that you saw the fire start?—Ten minutes after the van went past.
14. You saw it break into smoke?—Yes.
15. What then happened?—The fire went south-west from where it started, and when I got home I reported to my father about it. Next morning there was no sign of a fire at all till 1 o'clock, when the wind changed to the north-east, and it came up and went right through the plantation, and surrounded me when I was carting the bark.
16. Do you connect the two fires?—I knew where it went to on the first day.
17. You followed it?—Yes.
18. It was showing a red light on the sky, was it?—Yes.
19. All the night?—Yes.