

66. You were a mile and a half from the train when it passed. Of course, at that distance you would not be able to say whether there were any sparks emitted by the engine or not?—I could not see.

67. Prior to the 15th December had there been fires about this place?—No; there was no sign of a fire at all.

68. I do not mean in the particular part that was burnt, but about the district?—I do not know; not that I know of.

69. Are there Maoris about?—Now?

70. Then?—They were there about a week before.

71. In the area covered by the plantation?—No, not on the wattle side. They were digging gum.

72. But close handy. You saw them digging gum on the opposite side of the line?—Yes, they were digging gum all along the line this side of the station.

73. A good many of them?—Yes.

74. Had you at any time taken any precautions by burning off a cordon round your plantation?—No.

75. You did nothing in the way of cutting the undergrowth?—No.

76. And you took no precaution in the way of making a fire-break?—No.

77. *Mr. Oliphant.*] Have you ever seen any gum-digging on your wattle side of the line?—A little.

78. Where about?—Near the station—along the swamp.

79. Has any fire occurred from that gum-digging that you saw?—No, none at all.

80. You know the exact spot where the fire commenced?—Very near it.

81. You have been down there?—Yes.

82. You have gone over the point of land?—Yes.

83. Can you see any signs of gum-digging there?—No, it is too deep.

84. The swamp is too wet?—Yes.

85. Have you examined the ridge?—There is no gum-digging on our wattle plantation at all.

86. *Mr. Poynton.*] Can you see any signs near the railway-line on this side of the swamp?—I have not noticed any.

87. *Mr. Oliphant.*] Have you ever seen them digging on the swamp?—I have seen them on the little swamp near the station, but not on the big swamp.

88. That big swamp is a protection to the plantation?—Yes.

89. Does the fire go across it now?—Nearly every dry summer there is a fire in that swamp.

90. Will you explain what you mean by two fires? Do you mean that one fire had died out and that another had started?—No. A fire was started by the train, but the wind died down, and the fire smouldered till next day, although I did not see it on account of the mist.

91. You traced it with the eye across the swamp, did you?—Yes.

92. *Mr. Poynton.*] It would be in the swamp that it died out?—Yes.

93. *Mr. Oliphant.*] No new trespasser could have gone in the morning and started the fire?—No.

94. The place on which you stood on your estate commands a view of where the fire originated?—Yes. I was on the top of the hill and I could see the railway-line and the swamp.

95. And the fire started on a ridge facing your house?—Yes.

WILLIAM WILDERMOTH, sworn.

96. *Mr. Cooper.*] You are an engine-driver?—Yes.

97. And you were an engine-driver in the employment of the Railway Department in December, 1896?—Yes.

98. What train were you driving on the 15th of December of that year?—No. 31.

99. What train is that?—From Auckland to Cambridge.

100. What time would you pass the wattle plantation?—The time varies. Sometimes about half-past 12 and sometimes 20 minutes to 1.

101. Is that the goods train?—No.

102. When you passed it on this occasion did you notice any sign of fire?—There was a fire on the west side of the line in the swamp.

103. Was it of any extent?—No. Apparently it had been burning for some time in the swamp.

104. Was any person trying to put it out?—The surfacemen were close by, but the fire was doing no harm.

105. Can you say whether your spark-arresting apparatus was in working-order on that day?—It was in perfect order.

106. Did you go down the next day?—Yes.

107. At what time did you pass the same spot?—About the same time, but I could not remember.

108. It would be about mid-day?—Yes.

109. Was there any fire then?—I could not remember.

110. When you were coming up past that place was your engine working easily?—Yes.

111. Were you pressing it?—No; I seldom have to press it hard.

112. When you have been passing along the line have you noticed gum-diggers in the swamp?—Yes, at various times.

113. At this particular place?—Yes, between Wairangi and there.

114. At various parts along the line?—Yes.

115. On one side only, or on both sides?—On both sides.

116. Maoris or Europeans?—Maoris.

117. They are very careless as to fires as a rule, are they not?—Yes.