

any examination of the books, or any extract to be taken therefrom, unless by order of the president or Mr. Cumberland, or in the presence of one or other of them, unless otherwise ordered. Mr. Featherston and Mr. Miall then called on the president and Mr. Cumberland at their respective residences, and stated the result of their application for an examination of the books at the Northern Railway office, and proposed to the latter gentleman, to suit his convenience, and to facilitate the investigation, that the inspection should take place at his own residence, which offer Mr. Cumberland promised to take into consideration.

Having failed to obtain any facilities for access to the books, the Commission met on Saturday, the 23rd September, 1876 (of which notice had been given), when the Honorable J. H. Cameron, on the plea of Mr. Cumberland's continued illness, requested a still further adjournment, to enable Mr. Cumberland to be present, and submitted the following document to the commissioners:—

“ Mr. Cameron objects to any further proceeding on the examination of the new charges submitted to him, in the absence of Mr. F. W. Cumberland, who is so unwell as to be unable to attend the Commission, and he requests an adjournment on that ground, until such day as the Commission may again be called, on Mr. Cumberland being able to appear.

“ Mr. Cameron also objects to any new charges being submitted to the Commissioners which are not stated in the communication of Mr. Hamilton, the secretary of the Northern Railway Company, as they are not within the scope of the Commission, which, he contends, is confined to the recital of the charges by Mr. Hamilton.”

Mr. Cameron not producing any medical certificate, accounting for Mr. Cumberland's absence, and it appearing to the Commissioners that it was not desirable to grant any further delay, in view of the impediments which had already been raised to the progress of the Commission, declined to accede to Mr. Cameron's request; whereupon, as he had previously intimated, he withdrew, leaving Mr. G. D'Arcy Boulton to take his place as counsel for his clients; and the Commissioners proceeded to take the evidence of Messrs. F. H. Heward, Noah Barnhart, Patrick Burns, Alexander Manning, John Ginty, William Rowland, and William H. Lockhart Gordon (for which see Appendix A), and afterwards adjourned to Monday, the 25th September, 1876, when Mr. Archibald F. Campbell, counsel for Mr. Cumberland, stated that his client was still too ill to attend for investigation of the books, or to be present at the meetings under the Commission. Upon the Attorney-General's declaring his intention to call Messrs. Ball, Douglas, and Wood, and others who had been subpoenaed to give evidence in regard to commissions paid to Mr. Barlow Cumberland on premiums of insurance on Northern Railway property, Mr. A. F. Campbell, on behalf of Mr. Cumberland, undertook to produce a statement from his client, admitting the receipt of the commissions by Mr. Barlow Cumberland and other employes (which was subsequently filed as exhibit No. 1 of the 27th September, 1876.—See Appendix A.), and the above named witnesses were not examined.

In view of the continued obstructions placed in the way of the Commission, to prevent a complete investigation into the affairs of the Northern Railway Company in the general way and to the extent contemplated by the Commission, and Mr. Cumberland's illness having created a pause in the proceedings, and he having admitted the correctness of the most important of the representations referred to in the preamble of the Commission, we deem it advisable at this stage to report the progress that has been made, and to solicit Your Excellency's instructions for our future guidance.

We have the honor, then, to report that, out of the moneys which, under the Statutes in that behalf were payable, and should have been paid to the Government in respect of the Government lien, the following items were, on the contrary, paid in the manner, and for the purposes, hereinafter mentioned:—

1. We find that various sums, amounting together to \$5,440.68, were paid out o