

9-10 EDWARD VII., A. 1910

As they find it desirable for the convenience of all the parties concerned in the inquiry not to hold any further meetings for the taking of evidence until the 31st March instant, your Committee in pursuance of the power of reporting from time to time, conferred upon them by their Order of Reference, beg to submit herewith the Minutes of the Proceedings from the 16th day of February, the date of their first meeting, to the 31st day of March, both inclusive, together with the Minutes of Evidence taken by them at the sittings mentioned in such proceedings.

VICTOR GEOFFRION,  
*Chairman.*

### FIFTH REPORT.

WEDNESDAY, April 27, 1910.

The Special Committee appointed to investigate the charges and allegations made by Hugh D. Lumsden, against a portion of the engineering staff of the National Transcontinental Railway beg leave to present the following as their Fifth Report:—

Your committee met for organization on the 16th day of February last past, when Mr. Geoffrion was elected chairman. Numerous sessions have since been held; the printed record of the proceedings at such sessions is herewith submitted. Pursuant to summons Mr. Lumsden appeared before the committee at its meeting on the 2nd day of February, and stated that it was not his intention to be represented by counsel. He was several times at different sessions asked by the chairman and other members of the committee if it was still his desire not to be represented by counsel and he persisted in such desire. (See pages 62, 65 and 91). And at the meeting of the committee on March 8 he was again asked the same question and informed that he would be at no expense for counsel, which he stated had been his understanding. (P.135). In view of Mr. Lumsden's attitude, your committee obtained leave from the House to employ counsel for the purpose of assisting them in the investigation of the matters referred to them. Mr. F. H. Chrysler, K.C., was accordingly appointed and Mr. Lumsden agreed to communicate with him and give him all the information possible bearing upon the matter. Mr. R. C. Smith, K.C., appeared on behalf of the Board of Commissioners of the National Transcontinental Railway and Mr. J. H. Moss, K.C., on behalf of the engineers named by Mr. Lumsden as those in whom he had lost confidence.

The order of reference bearing date the 27th January, 1910, (p. 5) directed to your committee to investigate certain charges and allegations made by Mr. Lumsden in his letter of resignation dated 25th June, 1909, as modified by his letter of 26th June, expressed in the following sentence: 'In view of the general disregard of my instructions and having lost confidence in the engineering staff, I have concluded to resign my position as chief engineer,' and :—'referring to my letter of yesterday wherein I stated that I have lost confidence in the engineering staff I beg to state that this does not apply to the whole staff but applies only to a portion of the staff who were responsible for the measurement, classification, supervision and inspection of considerable portions in District 'B' and east of Rennie's Crossing in District 'F' lately gone over by me.'

In view of the indefinite nature of these statements Mr. Lumsden was requested to amplify and give further details of his allegations, and a further statement in writing was produced by him and filed as Exhibit No. 1 (p. 71) and also a list of the various stations, inspection of which, together with the statements made in his presence by certain of the engineers during the visit of the first board of arbitrators, had as he stated caused his loss of confidence in a portion of the engineering staff. (Ex-