

OTTAWA, October 31st, 1881.

*Re Beemer Contract, Welland Canal.*

DEAR SIR,—A reference has been made from your Department to this Department for the preparation of the draft of above contract. I have been informed that it is intended to have the work proceed as quickly as possible. The Order in Council of 19th instant provides that the contract is to be made subject to the approval of Parliament.

It seems inconsistent that the work should be proceeded with under a contract declared not to be binding till approved of by Parliament, and in case of difficulty with the contractor it would be hard to say what the rights of the Crown were.

I suggest that the Order in Council be amended, allowing the contract to be binding until *disapproved* of by a resolution of the House, and then to cease, as the parties are pressing and as Council is now sitting.

I have taken the liberty of sending this to you there with the draft contract containing a clause to that effect, and with a report to Council for your signature recommending its adoption, if you think well of the suggestion I have made.

Yours truly,

Z. A. LASH, D. M. J.

To Sir CHARLES TUPPER, Minister of Railways and Canals.

OTTAWA, 31st October, 1881.

The undersigned has the honor to submit the annexed draft contract with H. J. Beemer for the construction of an Aqueduct for the purpose of carrying the Welland Canal over the Chippewa River, &c., which contract has been prepared in the Department of Justice.

The Order in Council of the 19th October, 1881, authorizing the making of the contract, provides that the same is to be made subject to the approval of Parliament.

The undersigned, however, has been advised that as it is intended that the work should be proceeded with immediately the contract should be made so that the same may be binding with respect to any work performed before the same is considered by the House.

The undersigned therefore recommends that the Order in Council of the 19th October be amended in that respect and that the annexed draft (including the special clause relating to the determination of the contract in case the same be disapproved of by resolution of the House of Commons at its next Session) be approved of, and authority given for the execution of a contract containing similar terms.

CHARLES TUPPER, Minister of Railways and Canals.

To His Excellency the Governor General in Council.

*Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council, on the 4th November, 1881.*

On a Memorandum, dated 31st October, 1881, from the Minister of Railways and Canals, submitting the annexed draft contract, with H. J. Beemer, for the construction of an Aqueduct for the purpose of carrying the Welland Canal over the Chippewa River, &c., which contract has been prepared in the Department of Justice;

The Minister states that the Order in Council authorizing the making of the contract provides that the same is to be made subject to the approval of Parliament;

That he, however, has been advised that as it is intended that the work should be proceeded with immediately, the contract should be made so that the same may be binding with respect to any work performed before the same is considered by Parliament.