

or by implication give a department power to make a new expenditure, and if that power is not contained in the proviso, it is nowhere: it does not exist. The only meaning to be drawn from the proviso is that the extension is made for the purpose of paying after June 30, out of the original appropriations, such accounts as had at that date been incurred."

The Board, after careful consideration of the matter, recommend to Council that for the current fiscal year the present practice be retained, so that no inconvenience may be experienced by the departments, the Auditor General having intimated that he is willing that for the present year such course be adopted; but as the law is clearly in accordance with the contention of the Auditor General, the Board are of opinion that under existing circumstances the practice now followed cannot be continued.

JOHN J. MCGEE, *C.P.C.*

Contracts.

Order in Council, May 23, 1880.—On a joint memorandum dated March 20, 1880, from the Honourable the Minister of Public Works and the Minister of Railways and Canals, recommending that hereafter all public works involving an expenditure of over \$5,000 shall be let by public tender and contract, unless owing to urgency or other cause it be deemed advisable to take different action, and that in all such cases authority be obtained by an Order in Council. That, with all tenders submitted, a money guarantee, or approved accepted cheque, shall be given, to be open to forfeiture in the event of the tenderer failing to make the necessary five per cent deposit, hereinafter referred to, within eight days after receiving notice of the acceptance of the tender, or of his declining to enter into contract when requested, the amount of such guarantee to be fixed at a sum not less than \$1,000, nor more than \$5,000. That upon acceptance of a tender, and notification by the department concerned, the intending contractor shall, within eight days, deposit with the Government a sum of money equal to five per cent of the amount of his contract. That in all cases where tenders have been called for, the lowest received shall be accepted, unless good and sufficient reasons appear for passing over such tender. The Committee submit the above recommendations for Your Excellency's approval.

Certified,

J. O. COTÉ, *C.P.C.*

Order in Council, May 2, 1893.—On a memorandum dated May 1, 1893, from the Minister of Finance submitting a report from his deputy respecting contractors' securities.

The Minister recommends, in accordance with the suggestion therein contained, that notice be immediately given to the Department of Finance by the department having control of the work, in case of the failure of contractors having a contract for the performance of work for the Government, and having security deposited with the Department of Finance.

The Committee submit the same for Your Excellency's approval, and advise that a copy of this Minute be forwarded to the Minister of each department for his information.

JOHN J. MCGEE, *C.P.C.*

Memorandum respecting Contractors' securities.—The undersigned has to report that by Order in Council of June 16, 1888, all cheques and all deposits on account of contractors' securities are turned by this department into cash, and deposited in the Government savings bank, and in some instances where the security given is large, the interest accruing on the deposits is paid to the contractors yearly at their request.

The attention of the undersigned has lately been directed to the fact that a firm of contractors having a deposit now in the hands of the Government has recently failed, and it is just possible that cases may arise in which moneys may be paid over by this