

**Railway Construction—
Contract 5 A.**

His report of May 2nd has this language:

"An Order-in-Council be passed accepting the proposal of Mr. Whitehead and defining the terms."

The Order-in-Council makes no allusion to prices of section 15 being applicable to this extension, except as to these matters so defined: can you tell me the authority that Mr. Braun had for telegraphing as he did on the 11th of May to Mr. Rowan?—I cannot.

Witness does not know Braun's authority for telegraphing the instructions to Rowan on the 11th May.

876. Does it appear to you that this telegraph, in wider terms than the report of Mr. Fleming, has led to these charges at the higher rates which we have been speaking of; for instance "off-take ditches" at 45 cents; or can you give any other reason for it?—I know of no other reason for it.

Witness knows no other reason than Braun's telegram for the higher prices.

877. Have you any other paper that you wish to put in concerning contract 5 or 5 A which would enlighten us?—I wish to put in a letter about fencing. (Exhibit No. 25.)

Letter about fencing.

878. Was any action taken on this letter which you produce?—Yes.

879. What action?—I produce a letter which was written to Mr. Smellie. (Exhibit No. 26.)

Letter to Smellie.

880. Do you know what further was done about this matter?—No.

881. Have you any other paper that you wish to put in?—I have no other.

882. Have you any further evidence to give by way of explanation of your previous evidence on this subject?—Nothing at present.

Contract No. 33.

883. Was there any other contract made in connection with the Pembina Branch, either north or south of St. Boniface?—Yes.

Kavanagh, Murphy & Upper.

884. With whom was it made?—With Kavanagh, Murphy & Upper.

885. Will you give their individual names?—The contract is signed "T. Kavanagh, James Murphy, and Joseph Upper."

886. Was the work included in this contract submitted to public competition?—Yes.

887. Have you a form of the advertisement to put in?—I have none with me, but I can prepare a copy to be furnished afterwards.

888. About what date was the advertisement?—I have not got the date.

889. What time was fixed for receiving tenders?—The first of March 1878.

1st March, 1878, fixed for receiving tenders.

890. Whose was the lowest tender?—Mr. Kavanagh's was the lowest.

Kavanagh's tender lowest.

891. The one which obtained the contract?—Yes.

892. Have you his tender?—Yes. (Exhibit No. 27.)

Tender produced.

893. Is it based upon any form of specification furnished by the Department?—It is based on a specification prepared by the Department.

Based on specification supplied by Department.

894. Is it the same as the specification attached to the tender produced?—The paper attached to the tender is not a specification, but a bill of works.