

**Railway Construction—  
Contract No. 5.**

Advertisement  
for tenders.

859. You are not able to answer without doing so?—No.

860. Can you produce a copy of the advertisement asking for tenders for work on the Pembina Branch?—Yes; I now produce it. (Exhibit No. 20.)

861. And of the form of tender intended to be used?—Yes; I now produce it. (Exhibit No. 21.)

862. And of the specifications applying to the tender?—Yes; I now produce it. (Exhibit No. 22.)

863. Does the advertisement ask for a tender for any work north of St. Boniface?—No.

If contract 5  
embraced work  
north of St.  
Boniface, not  
based on any  
advertisement  
for tenders.

864. In reading the contract with Mr. Whitehead (No. 5.) you thought that it embraced some work as far north as Selkirk?—Yes.

865. Then, if it did, it was not based upon any advertisement for tenders?—No.

866. Are you aware of any other advertisement for work north of St. Boniface to Selkirk?—I am not.

**Contract 5A.**

867. Do you mean that all the work upon that extension, from St. Boniface northward, was awarded without any competition?—It was awarded without further competition than that afforded by the tenders received for contract 5.

868. Was there any competition afforded by that? I understood you to say that the advertisement called for nothing north of St. Boniface?—There was nothing north of St. Boniface in that advertisement.

All the work on  
extension award-  
ed without com-  
petition.

869. My question relates only to that north of St. Boniface?—It was awarded without competition.

870. All of it?—Yes; all of it.

Fleming's report  
on which Order-  
in-Council  
signed, ordering  
execution of this  
work.

871. Have you the report or a copy of the report from Mr. Fleming upon which the Order-in-Council is based, ordering this work to be done by Mr. Whitehead?—Yes.

872. Will you produce it?—I now produce it. (Exhibit No. 23.)

Further report of  
Fleming.

873. Have you any other original documents relating to this extension which would give us information on the subject?—Yes; I now produce a report from Mr. Fleming, dated May 2nd. (Exhibit No. 24.)

Defines the prices  
of sec. 15 appli-  
cable to Con. 5 A.  
Does not know  
why other prices  
of sec. 15 were  
made applicable.

874. This report seems to define the prices of section 15 which were to be made applicable to this extension. It mentions "namely: ties, 40 cts. each, track-laying and ballasting, \$290 per mile," and nothing more. Do you know why other prices for section 15 were made applicable to this extension?—No; I do not.

875. On April 19th Mr. Fleming's report contains this language: "Mr. Whitehead offers to do the grading on the extension of the Pembina Branch at the same rate as his original contract, and lay the track at the same rate as the present contract for sections 14 and 15."