

REPORT OF SELECT COMMITTEE.

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NEW WESTMINSTER ENABLING BILL.

—

April 2nd, 1891.

MR. SPEAKER:

Your Select Committee beg leave to report: That under and by virtue of the resolution in that behalf your Committee, after the fourteen days' notice set out in the resolution had been duly given to all parties, met and heard a large volume of evidence (which is returned with this report) on the matters dealt with in this Bill (No. 12) intituled "An Act respecting the Corporation of New Westminster," hereunto attached.

Your Committee find that the Council of the said City during the year 1889 deliberately exceeded the powers granted to it under the Act known as the "New Westminster Act, 1888," and amendments thereto.

Your Committee are of opinion that the said Act so submitted for inspection and report should not be passed in its present form, but should be so amended that while giving the ratepayers of New Westminster an opportunity of legalizing the past large expenditure of moneys, care should be taken that proper safeguards should be inserted to prevent any further illegal outlay on the works mentioned in the Bill; but in no case do we report or recommend that the Corporation of New Westminster should be empowered to carry on private electric lighting.

We further think from the evidence adduced that Bill (No. 12) should have been introduced as a Private Bill, with all the formalities and precautions attendant on that class of Bills.

GEO. B. MARTIN,

Chairman.

EVIDENCE.

MONDAY, March 9th, 1891.

Meeting of a Select Committee, composed of the members of the Private Bills Committee, appointed by the Legislative Assembly to consider and report upon the "New Westminster Enabling Act."

Present:—Messrs. Martin (Chairman), Ebercs, Croft, Hall, Semlin, and Kellie.

P. Æ. Irving, Esq., appeared on behalf of the Corporation of New Westminster.

Charles Wilson, Esq., appeared on behalf of the opponents of the Act.

Hon. W. Norman Bole, Senator McInnes, James Cunningham, Esq., ratepayers of the City of New Westminster, appeared before the Committee for the purpose of presenting and urging their objections to the measure.

The Chairman and Mr. Croft drew attention to the fact that the Preamble of the Act showed some amendment.

Mr. Irving:—There are now two Bills, practically; No. 12, as introduced by the Attorney-General, and the Bill now being discussed, which was amended in Committee, the words "without any restriction or limitation whatever" being struck out. That is the only amendment.

Mr. Croft:—At the last meeting of the Committee, Mr. Brown was sworn and partly heard, and the consideration of the Bill was adjourned until to-day, when it was understood that the City would bring forward proof of the whole of the Preamble.

Mr. Irving:—Some time ago, when this Bill was being discussed, one of the opponents of the measure stated that he thought that this Act might be so interpreted as to give the Council of the City of New Westminster the right to raise and expend moneys without obtaining the consent of the people. Now, we thought that, at the last meeting of the Committee, we sufficiently explained that that was not our view, and that we had no intention of doing any such thing, and, in order to make the thing perfectly clear, we propose to add a section to this effect:—"Any by-law which may be passed, respecting any proposed works, and involving the raising of money therefor, shall, before the passing thereof, receive the assent of the ratepayers of the City of New Westminster in like manner as is provided by the 'New Westminster Act, 1888,' in respect to by-laws for the raising of money." Now, I propose to have that added to the Bill as part of section 4. That covers the ground, and places these works on exactly the same footing as other works. It shows the *bonâ fides* of the Council, and if any of these gentlemen oppose it on that ground, it seems only fair that they should withdraw their opposition, so that we may fight those who are opposing the Bill on other grounds.

Mr. Bole:—Mr. Chairman, I don't think that the proposed amendment covers exactly the objection sought. By this Act the contracts are declared legal, and also the by-laws heretofore made. There are a large number of contracts spoken of, and we are desirous of knowing what those contracts are. It may be that, when we get a knowledge of all these contracts, we may be satisfied. At the present time they only speak of a class of contracts, without specifying what those contracts are, and without giving the ratepayers that information which, I submit, we have a right to expect.

Chairman:—There is no reference to clause 2.

Mr. Irving:—No, the objection was to clause 4.

Mr. Wilson:—No, we object to the whole thing from beginning to end.

Mr. Bole:—Although these words are somewhat of a step in the right direction, still we prefer to hear what the Corporation have to say in support of their Bill.