

### Convention of B. C. Municipalities.—(Continued).

makes it necessary in my judgment that this Convention should deal with the larger matters affecting us rather than ask for a multitude of small or less important things. The new government will give us power and influence in their Councils on Municipal affairs, in the exact ratio that they find our recommendations to be for the general benefit of all the Municipalities.

#### WESTERN CANADA TELEPHONE BILL.

Most of you will recollect that last Spring, while the Federal House was in Session, it was brought to our attention that an attempt was being made by the Western Canada Telephone Company to pilot through the Dominion Parliament an Act, which while very innocent looking on the face of it, sought Dominion wide powers which would have given them such a monopoly, that they would practically have been able to do as they pleased in the matter of tariffs, service, etc. We put up a most strenuous opposition to this Bill and in so doing we had the whole-hearted co-operation and support of Mr. W. D. Lighthall, K.C., who is the very able Secretary of the Union of Canadian Municipalities. Your solicitor worked on this matter in a manner which is deserving of our highest praise and deepest gratitude. In fact I believe that it was largely owing to the information gathered by him re Telephone matters in this Province (and the compact way in which he put that information together) that Mr. Lighthall was enabled to make such a convincing argument in our favour. So strong was the opposition put up by Mr. Lighthall on behalf of the Union of Canadian Municipalities, and on our own behalf, that the promoters of the Bill were forced to withdraw it, and to substitute therefor a much less drastic measure. The work done in this matter by Mr. Lighthall coupled with the work of our own solicitor, has forever justified the existence of the Union of Canadian Municipalities and our own Union. This is one instance in which the value of such organizations as these has been clearly and finally demonstrated.

In opposing the Western Canada Telephone Company's Bill, we insisted that a clause should be placed therein, to the effect that the tariffs, etc., should come before the Board of Railway Commissioners of Canada for approval and in this we are successful.

On behalf of the Union of British Columbia Municipalities I appeared before the Board of Railway Commissioners at its meeting in Victoria recently, and requested that before any decision was made as to the rates and tariffs to be adopted by the Company, this Union should be given an opportunity to be heard, and also that the Telephone Company should be instructed to forward to the Union, a copy of the rates and tolls proposed to be put in operation by the Company, at the same time as the Company submits the said rates and tolls to the Board of Railway Commissioners, and I am pleased to be able to state that the Board has granted both requests.

I would recommend for your consideration that we suggest to the Provincial Government, that the Solicitor of the Union of British Columbia Municipalities, and the Municipal Inspector be appointed a Commission for the purpose of drafting a new Municipal Act. In making this recommendation, I feel that it is not necessary for me to enlarge in any way upon the qualifications of either of these gentlemen, both of whom are so well known for their sound common sense on all matters pertaining to Municipal Law.

I would also recommend that in view of the very strenuous year of work on our behalf, that has been put in by our solicitor during the past twelve months, and especially while the Provincial Parliament was in session, and in view of the small amount he receives from the Union by way of remuneration, that he should be allowed an amount sufficient to cover his expenses to this Convention. The work that he has performed during the year can only be properly appreciated by those who attended the House when in Session. I trust that this recommendation will meet with your favourable consideration and hearty approval.

In conclusion, gentlemen, I may say that this has been the most strenuous year of my life. I have endeavored to work at all times to the best interests and for the advancement of the Union, and I can assure you that I have highly appreciated the honour of having been your President. As to whether or not I have succeeded in justifying

your confidence in me, that is a matter of which you are the best judges.

Resolved that the Report of Mayor Stewart be submitted to the Resolution Committee to bring forward any questions arising of the report.

There were seventy-one delegates present, all of whom were entitled to attend.

Moved by Reeve Bridgman of North Vancouver, seconded by Councillor McDonald that the Report of the Credential Committee be received and adopted.—Carried.

The Hon. Secretary Treasurer, Mr. H. Bose, presented the following statement:

Balance, 1915.....	\$ 116.30
Receipts, 1916.....	1,260.00
Total .....	\$1,376.30
Expenditures, .....	1,114.40

Balance, 1916. .... \$ 261.90

and also the following report:

"Since the last Annual Convention, the Executive met in Victoria on the 8th and 9th of March, there being present Mayor Stewart, Mayor Hanes, Mayor Jones, Mayor Gray, and Reeves Bridgman, Sullivan, and McGregor, Secretary-Treasurer Bose and Solicitor McDiarmid.

The Executive dealt with all matters adopted at the Chilliwack Convention and also the matter of the Western Canada Telephone Bill. On the 9th March the Executive had a meeting with the Attorney General and Mr. Baird, Municipal Inspector.

On 31st May the Executive met in Vancouver. Present, President Mayor Stewart, Mayors Gray, Barber, McBeath, Reeves Fraser, Sullivan, McGregor, Bridgman, Councillor McDonald, Municipal Clerk Moore, Mr. McDiarmid and Sec.-Treas. Bose. The principal matter being dealt with being the Western Canada Telephone Act. Resolutions were passed authorizing the Secretary to gather data re. Telephone matter from all the Municipalities.

On the 29th Sept., 1916, the Executive met in the Board Room of the B. C. Telephone Company and met the Officers of the Company and discussed telephone matters with them. The program for the Vernon Convention was also arranged. There being present President Mayor Stewart, Reeve Bridgman, McGregor and Sullivan, Mayor Hanes, Councillor McDonald, Solicitor McDiarmid, Municipal Clerk Moore and Sec.-Treas. Bose.

H. BOSE, Secretary-Treasurer.

Moved by Mayor Stewart that the Report be referred to the Auditing Committee.

Moved that Municipal Clerk Dickinson, of North Cowichan and Clerk A. G. Moore, of Burnaby, be appointed Auditors.—Carried.

#### Report of Solicitor.

Mr. F. A. McDiarmid, as Solicitor for the Union of British Columbia Municipalities, presented the following report:

The jurisdiction of any municipality is solely a delegated jurisdiction. All authority over municipal matters is vested in the Legislature. What it gives, it gives. What it pleases to withhold is withheld.

If you find in the Act power, authority, jurisdiction, vested in a municipality to do or to abstain, or to regulate, or license or prohibit, then the Municipality has that right, otherwise not—and this whether or not some Municipality of any other Province has it or not.

Municipalities as we know them, were unknown at the Common Law, the law governing them is purely statutory. There is no body of unwritten law, customs or tradition having the force of law, which can be relied upon to guide the conduct of any municipality.

I take it that it is of the first importance that the body of gentlemen who are called together to be the law makers of the country, should so frame these laws as to be explicit and self-explanatory. It seems to me that great hardship and expense and heavy law costs to our municipalities could have in the past, and may in the future, be avoided, by a consolidation and re-drafting of the numerous Acts which now form the code of laws governing the Municipalities.

We have so many Acts containing the law of this Province, as affects municipalities, that it is difficult for any solicitor, and almost impossible for any clerk, not a solicitor, to make absolutely certain either of the jurisdiction of the Municipality or of the procedure to make any jurisdiction effective. When the Solicitor has done his