BRITISH COLUMBIA.

REPORT OF THE ROYAL COMMISSION

—ON—

MUNICIPAL GOVERNMENT, 1912

UNDER "PUBLIC INQUIRIES ACT."

THE GOVERNMENT OF
THE PROVINCE OF BRITISH COLUMBIA.

PRINTED BY
AUTHORITY OF THE LEGISLATIVE ASSEMBLY.

VICTORIA, B.C.:
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To His Honour THOMAS WILSON PATERSON,
Lieutenant-Governor of the Province of British Columbia.

MAY IT PLEASE YOUR HONOUR:

The Royal Commission on Municipal Government, appointed by Order in Council, dated the seventh day of August, 1912, to inquire into the operation of the present system of municipal government in the Province, whether such system is authorized by special Act of the Legislature or by any general law relating to municipalities, including within the scope of their inquiry the constitution and powers of Municipal Councils, the qualification of voters, and the administration of justice within municipalities, and generally to inquire into all matters municipal, have the honour to submit the following Report.

W. H. KEARY,
Chairman of Commission.

REPORT

OF THE

ROYAL COMMISSION ON MUNICIPAL GOVERNMENT.

To His Honour the Lieutenant-Governor in Council :

Pursuant to Your Honour's Commission to us directed, bearing date the seventh day of August, 1912, we held meetings at the following places and dates in the Province of British Columbia :—

Victoria, Monday and Tuesday, August 12th and 13th.
Nanaimo, Thursday, August 15th.
Vancouver, Monday, Tuesday, Wednesday, and Thursday, August 26th, 27th, 28th, and 29th.
New Westminster, Friday, August 30th.
Kamloops, Monday, September 2nd.
Vernon, Tuesday, September 3rd.
Kelowna, Wednesday, September 4th.
Summerland, Thursday, September 5th.
Penticton, Friday, September 6th.
Grand Forks, Saturday, September 7th.
Rossland, Tuesday, September 10th.
Nelson, Wednesday, September 11th.
Cranbrook, Friday, September 13th.
Fernie, Friday, September 13th.
Revelstoke, Monday, September 16th.
Vancouver (second meeting), Wednesday, November 13th.
Duncan, Saturday November 23rd.

For the purpose of comparison and guidance, we also investigated the systems of municipal government in force in many places outside the Province, including Calgary, Edmonton, Winnipeg, Toronto, Ottawa, Montreal, and St. John, N.B., in Canada; and Spokane, Des Moines, Omaha, Boston, Washington, Memphis, New Orleans, Galveston, Houston, Los Angeles, Oakland, Tacoma, and some smaller cities in the United States where commission government is in force.

At the meetings in British Columbia we had the opportunity of obtaining the views of many of the Mayors, Reeves, Aldermen, and Councillors of the fifty-five municipalities of the Province, and many citizens who take a deep interest in the problems of municipal government.

Ample opportunity to be heard was given to all persons wishing to appear before the Commission, and a great mass of evidence and data, covering 1,200 typewritten pages, bearing chiefly on the operation of the "Municipal Act," was gathered from witnesses in the various places visited in the Province, where 158 were examined on oath or on solemn affirmation.

The unsworn testimony of witnesses at thirty-two places visited outside the Province was also taken and compiled in one of the volumes of evidence appended.

We are happy to say that the broadest and most abiding impression made upon us by the information we gathered from all quarters is that the system of municipal government in force in British Columbia up to the present time has worked well. For many years past the Legislature has devoted a large part of its time to amending and reshaping the municipal law, so as to make it suitable to the changing conditions of the Province. A system of law which has been developed in this way is almost sure to be lacking in symmetry, but to possess the great merit of being adapted to the actual wants of the people.

Our municipal law, in substance, is the same as that of Ontario, Manitoba, and other Provinces of the Dominion, but modified to meet our peculiar wants. While our discussions and investigations have disclosed the fact that improvements might well be made in several respects, yet we think it would be a mistake radically to change the present system and to substitute for it another which might in practice be found not nearly as useful a code as the one which has grown up as the result of actual experience.

Nearly all those who gave evidence before us were satisfied with the present system; but in the cities on the Coast a number considered that the Councils had not sufficient time to cope with the details of administration, which had better be left to a small body of men devoting their whole time to the work.

We have great pleasure in reporting that there appears to be no lack of upright and intelligent men in British Columbia prepared to take upon themselves the burden of municipal government, and that, so far as our investigation has gone, their efforts have resulted, both in city and district municipalities, in good and honest administration. Of municipal corruption we found no trace whatever.

We shall now touch in detail upon some of the subjects that were discussed at the various meetings we held throughout the Province.

FORM OF GOVERNMENT.

In some quarters it was suggested that every large city municipality should be given power to abolish the present form of government by Mayor and Council, and to intrust all its affairs, legislative as well as executive, to a small body of Commissioners elected by the city at large, and paid an adequate remuneration for devoting their whole time to the city's business. This is what is usually called the commission form of civic government. It has been adopted in a number of cities we visited in the United States, the largest of them being Oakland and Omaha; and during the short time it has been in force (in no case exceeding twelve years) the results obtained appear to be satisfactory. In Boston, however, we found that two years ago, when the city was obtaining a new charter, they investigated the Commission form of government and decided against it, but did away with the two branches of the Council and reduced the membership to the nine Aldermen of the present Council, leaving the executive power in the hands of the Mayor. In Portland, Oregon, and Los Angeles, California, proposals to adopt commission government have been defeated within the past two months, whilst in New Orleans (a city of about 400,000) commission government came into force only on December 2nd, 1912.

After careful consideration, we are of opinion that it would be a mistake to adopt this system of commission government. For one thing, we consider that it places too much uncontrolled power in the hands of a few men. The Commissioners, as a rule, do not exceed five in number. The result is that three may control a city, and among the three would often be found one man who would dominate the other two. The tendency, therefore, is strongly towards one-man government. If the city autocrat happens to be a wise and reasonable man, the results would, from one point of view, be good. From another point of view, we think that, even in the case of a good autocrat, the results would be bad. Where there is a fairly numerous Council, a number of men are always being trained in the conduct of public business by the discussion of affairs in the Council and its committees. The training thus received fits them for the discharge of higher representative duties. It will frequently be found that men who have distinguished themselves in the Legislature or in Parliament have received their first training in a Municipal Council. Under commission government the supply of such men would largely, if not wholly, fail. We observed that public discussion of civic affairs practically ceased where commission government obtained. The Commissioners go through the form of holding public meetings; but it is an empty form, as there is no discussion in the proper sense of the term, everything being arranged beforehand in private meeting. It is obvious that if the affairs of the city fall into the hands of two or three bad men under the commission form, they might do the city an irreparable injury, as they are usually elected for a term of from two to four years.

To guard against this danger the clumsy device of "recall" has been adopted. The "recall" means that if a certain percentage of the electors become dissatisfied with the Commissioners or their measures, they may demand a new election. In practice this device has been found awkward and unworkable. If, on the other hand, it could be worked more quickly and smoothly than at present, it would probably have the effect of keeping the political

pot boiling nearly all the time. In Galveston, the first city to be governed by an elected commission, the "recall" is not in force, and it was there contended that it is more of an injury to the commission plan than a benefit, as business-men will not take office where they may be compelled to go through one or more campaigns during a single term.

In some cities in the United States, the number of citizens willing to govern the city at from $3,000 to $6,000 a year has been found to be very embarrassing. At the first election in the City of Spokane five Commissioners were to be elected, and ninety-two candidates presented themselves. This *embarras des richesses* has led to a weeding-out of candidates by primary elections. In short, the adoption of commission government would, we think, necessarily lead to the introduction of the cumbersome political machinery in force in the United States.

It was earnestly contended before us by some of the advocates of commission that when a city reached the size, say, of Vancouver, it became impossible under the aldermanic form of government properly to carry on public business. It was asserted that the executive duties of an Alderman, if properly discharged, would consume all his time. If this be so, we are at a loss to understand how it is that municipal government is so successfully conducted in Great Britain. It may possibly be that there Councils appoint competent officials, and give them greater latitude in the discharge of executive duties than is accorded to them amongst us; or it may be that in Great Britain municipal government is able to enlist the services of a leisure class with which there is nothing corresponding here.

If for any reason it should become necessary in any municipality to relieve the Council to a greater extent than at present of their executive duties, we would suggest the formation of a Board of Control. Such Boards are in existence in several of the large cities of Canada, such as Montreal, Ottawa, Toronto, Winnipeg, Calgary, and Edmonton. In Winnipeg the Council is composed of a Mayor, four Controllers, and fourteen Aldermen. The Mayor and Controllers, who form the Board of Control, are elected annually by a vote of the entire city. One Alderman is elected annually from each of the seven wards into which the city is divided, and holds office for a term of two years. Persons eligible for election as Controllers must be holders of property rated on the assessment roll of the city at the value of $2,000 over and above all encumbrances against the same. The Council as a whole is the legislative body, and carries on its legislative work through standing committees in the usual way. The Board of Control is the executive body, and as such deals with all financial matters; regulates and supervises expenditures, revenues, and investments; directs and controls departments and nominates heads of departments; prepares specifications, advertises for tenders for work, material, and supplies required by the city; inspects and reports to the Council upon all municipal work being carried on or in progress in the city; and generally administers the affairs of the city, except the public schools, public parks, and the police and licence departments. The Winnipeg scheme appears to have worked very satisfactorily.

We would recommend that municipalities having a population of 15,000 or over shall have power to pass a by-law (which must be submitted to the electors in the same way as any referendum) providing—

(*a.*) That the Council shall consist of the Mayor or Reeve, the usual number of Aldermen or Councillors, and from two to four Controllers:

(*b.*) That the Mayor or Reeve shall be elected annually, and that the Aldermen or Councillors and Controllers shall be elected for a term of two years, half retiring each year:

(*c.*) That the Controllers shall give all their time to the business of the municipality, and shall receive remuneration for their services:

(*d.*) That the Board of Control (which shall consist of the Mayor or Reeve and the Controllers) shall have power to employ or dismiss all employees of the municipality, including heads of departments:

(*e.*) That the Board of Control shall have full authority over all the executive work of the municipality, subject to the right of the Council to reject, vary, or refer back its actions by a two-thirds vote.

CLASSIFICATION OF MUNICIPALITIES.

The Union of British Columbia Municipalities urged that any new "Municipal Act" should be divided into four parts, one applicable to cities having a population of 20,000 or over; one applicable to cities having a population of between 10,000 and 20,000; one

applicable to cities having a population of under 10,000; and one applicable to district municipalities; each part to be distinct, separate, and complete in itself. As municipalities are at present divided into city and district municipalities, this suggestion resolves itself into a proposal to divide city municipalities into three classes, and to confer different powers on each class. None of the advocates of this scheme were prepared to say, even in a general way, what powers should be conferred on the different classes.

We are not aware that cities are classified in this way in any Province of Canada, although a few provisions, somewhat along this line, have been introduced into the "Municipal Act" of Ontario to confer what is practically claimed to be a special charter for the City of Toronto. The suggestion, as a whole, clearly comes from the United States, where in several jurisdictions cities are so classified, the main object of the classification having reference to the power to incur debt. Such a classification is not required for this purpose with us, as the power of each of our municipalities to incur debt is strictly limited by the financial position of the municipality. For any other purpose than that of debt incurring limitation, we consider such a provision unnecessary and even mischievous.

It has been the policy of the Legislature of British Columbia, except in the matter of debt-incurring, to confer the same powers upon all cities. If any city does not need any given power, it does not have to exercise it, but the power is there should its exercise at any time become necessary. Were a different policy in force there would be continual applications to the Legislature for increase of power. As a matter of fact, many of the cities having a population under 10,000 have about the same problems to solve as cities of the larger size. There would no doubt be intense dissatisfaction if any of the powers now possessed, by the City of Kamloops, for instance (a city under 10,000), were taken away from it, and we see no good reason why it should be deprived of any of its present powers.

If, then, all cities under 10,000 are to keep all the powers at present possessed by city municipalities, it is very difficult to imagine what additional powers should be conferred on cities having a population of between 10,000 and 20,000; and much more difficult, if not quite impossible, to enumerate the additional powers that should be conferred upon cities with a population of over 20,000.

When a city reaches the size of Vancouver, its affairs become so complex that it is difficult to attempt to provide for them all by a general Act. In such cases a special charter is preferable to the provisions of a general Act. We found the representatives of Vancouver eminently satisfied with their present charter, which has been moulded to suit the city's wants, and strongly opposed to being brought under a general Act. We see no good reason why Vancouver should be deprived of its charter.

LOCAL IMPROVEMENTS.

The provisions of our municipal law dealing with the incidence of the expense of local improvements are susceptible of great improvement. We are not aware of any good reason why the same provisions should not be made applicable to all municipalities. The present heavy expense of advertising these undertakings in the newspapers might well, to a large extent, be done away with. The experience of the City of Vancouver shows that the owner of the land is more certain to be advised of the work proposed to be done by a notice mailed to him directly than he is by advertisement in the press. We are reconstructing the local improvement sections of the Act, and think it advisable that they be submitted to the Legislature during the coming session.

PUBLIC SERVICE CORPORATIONS.

Several complaints were addressed to us regarding the arbitrary and unreasonable exercise by public service corporations of powers of entry upon public streets for the erection of poles, the laying of rails, pipes, etc., conferred by the private Acts of incorporation of these companies. Several of these Acts are quite old and contain few and inadequate provisions for safeguarding public rights, as they were passed at a time when private bill legislation was not as carefully considered from the point of view of the public as at present. It seems to us that the situation could be properly dealt with by a public Act authorizing the establishment of a commission with ample powers to enforce reasonable action in such cases, notwithstanding the powers conferred on these corporations by the private Acts already referred to. Such a tribunal might be either permanent or appointed by the Lieutenant-

Governor from time to time to deal with such cases as they arise. Power might also be given to such a commission to compel such companies to give adequate service at reasonable rates. Such tribunals exist in Ontario and Manitoba, and are found to be of great benefit.

PUBLIC UTILITIES.

The Union of British Columbia Municipalities has strongly urged that all municipalities should be given power to purchase, own, construct, maintain, and operate telephone systems, and also systems of public transportation by means of motor-buses, or railless electric cars, within their respective corporate limits. We recommend that these powers should be given to the different municipalities of the Province.

Several municipalities especially asked that they be given power to establish a municipal telephone service. Some years ago the farmers on Lulu Island combined to establish a private telephone system for their own benefit, as the municipality had not the right to do so. Our attention has also been called to one municipality that has already this power under its Act of incorporation, and we do not see any good reason against giving the same power to all municipalities. Municipalities have already the right to operate tramways, and these are certainly more complicated and more difficult to establish and operate than telephone systems.

GOVERNMENT SUPERVISION.

We firmly believe in municipal home rule, but, like everything else, this can be carried to excess. The Province at large, as represented by its Government, cannot afford to be indifferent to what is taking place in the municipalities. Cases have occurred in Canada where a Province had to go to the assistance of municipalities which had bankrupted themselves by recklessly bonusing railways. In this Province there is not even a Government office where information can be obtained regarding the financial affairs of municipalities. In England there is a department of the Government, called the Local Government Board, which exercises a very real control over municipal bodies. Before a local government can contract debenture indebtedness, we understand the scheme for which the loan is intended must receive the approval of the Board. While we do not think it advisable to establish such a system in British Columbia, we do think the Government should have full information as to what the municipalities are doing.

We therefore would recommend that the Government establish a Municipal Department similar to those in Manitoba and Alberta. Under this Municipal Department there should be one or more inspectors, whose duty it would be to see that the books of each municipality, including the school accounts, are kept in a proper manner, that they are duly audited at least once a year, and that a uniform system of municipal accounting is established. It should also be the duty of each municipality to transmit annually to the Municipal Department a full statement of its financial position. The Municipal Commissioner of the Government could also certify the validity of money by-laws and debentures issued thereunder, as is done in Ontario by the Railway and Municipal Board, and in Manitoba by the Municipal Commissioner, thus preventing any attack upon debenture by-laws or debentures.

Provisions similar to those above outlined we found would be welcomed by the municipalities. Such inspectors would gather most valuable data for the guidance and information of the Legislature in dealing with municipal affairs, which must always bulk large in Provincial legislation. On the other hand, the municipalities would gain great assistance from such officers, who would be able to advise all municipalities of any improvement in municipal methods effected by the most progressive municipalities in the Province. In this way the work of municipal government would become co-ordinated to the advantage of all concerned.

INVESTMENT OF SINKING FUNDS.

Sections 222 and 223 of the "Municipal Act" authorize the Councils of municipalities to invest their sinking funds in a large number of excellent securities, but they also empower them to invest these funds upon the security of first mortgages on land. Experience has shown that investment in mortgage is, or in some cases may be, a dangerous form of investment for municipalities. Even when the security is good, there is often great difficulty in compelling an influential ratepayer to make prompt payment of interest. We were much pleased to find that but few municipalities in the Province have availed themselves of this

power. In our opinion, it would conduce very much to the safety of sinking funds if this power were taken away from municipalities. In this connection we might add that it might well be made the duty of a Government Inspector of Municipalities to report upon the investment of sinking funds.

TERM OF OFFICE FOR ALDERMEN AND COUNCILLORS.

There was a marked consensus of opinion among the representatives of municipalities, and others who gave us the assistance of their views, that the term of office for Aldermen and Councillors is too short—that a man is about beginning to understand the affairs of a municipality when his one-year term of office expires. We concur with the opinion so expressed that it would be a decided improvement if Aldermen and Councillors were elected for a term of two years, one-half to retire each year. The Mayor and Reeve, it was generally thought, should be elected annually.

POLICE AND LICENCE BOARDS.

Great differences of opinion exist as to the best method of constituting these Boards. Some think they should be entirely elective; others that they should consist of the Mayor, Police Magistrate, and County Court Judge. The majority of those who expressed an opinion on this subject were in favour of the law as it now stands. There appears to us to be a well-founded objection to having the County Court Judge or the Police Magistrate on these Boards, as either of them might be called upon in his judicial capacity to pass upon the legality or advisability of a line of action which he had sanctioned as an administrator. On the whole, we are in favour of the present system. In the City of Boston we found that the government of the Police Force is placed entirely in the hands of a Commissioner appointed by the Governor of the State.

MUNICIPAL FRANCHISE.

This is a subject to which the Legislature has frequently addressed itself, and, of course, it is peculiarly one for that body to deal with. It seems to us, however, that an already complex situation was rendered almost hopelessly worse by the legislation of last session, which provided (1912, c. 8, s. 4) that—

"In case the registered holder of the fee and the registered vendee under an agreement for sale are both owners (as defined in this Act) of the same land or real property, they shall both have the right to have their names entered on the voters' list, but the holder alone shall have the right to vote at any municipal election, unless he, on or before the day of election, by writing under his hand filed in the office of the City Clerk, waives or renounces his right to vote, in which case the vendee shall be entitled to vote, provided he has all the requisite qualifications of a voter."

We would suggest that where the owner of land executes an agreement to sell, the owner shall retain the franchise in respect to said property if he pays the taxes imposed on it; but if the taxes are paid by the vendee or any transferee of the benefit of this agreement, then the franchise shall go to such vendee or transferee, upon his filing with the clerk of the municipality, before the closing of the list, a statutory declaration that he is such vendee or transferee, that he is a British subject, and has paid the current year's taxes on the property.

TAXATION IN SUPPORT OF SCHOOLS.

Great dissatisfaction was exhibited before us over the relations existing between Municipal Councils and Boards of School Trustees. It is provided by section 48 of the "Public Schools Act," as it appers in the revision of 1911, that the Council of any municipality shall in any year pass a by-law or by-laws for levying a special rate of not more than 5 mills in the dollar for school purposes; and if and so far as the money raised by such rate and received from the grant paid by the Minister of Finance are insufficient for that purpose, the Council shall apply a portion of the ordinary revenue for school purposes. Before the said revision came into force in January, 1912, it was optional with municipalities whether they would furnish funds in excess of what would be produced by 5 mills on the dollar.

In practice the School Boards frequently demanded by their estimates of ordinary expenses sums which amounted to from 7 to 10 mills in the dollar, and they insisted that the excess over 5 mills should be furnished by the municipality out of general revenue. As these demands were usually acceded to, the limit of taxation for general school purposes, even

before the revision of 1912, had become illusory. While the ratepayer thought that the increase in his taxes was due to the action of the Municipal Council, it might have resulted from the extravagance of the school trustees. In school districts including an area outside the municipality, the Council has power to collect only 5 mills for school taxes from the added area, and therefore all the additional expenses over and and above 5 mills must necessarily be borne by the municipality alone out of general revenue.

We would suggest that if anything is to be obtained from the municipality above whatever may be deemed a reasonable limit to be fixed for ordinary school purposes, say 7 mills, that it should be obtained only when the trustees make it clear to the Council that the estimates of the Board are reasonable. We think this measure of control can safely be entrusted to the Councils. They are responsible to the people, and they have a knowledge of the financial affairs of the municipality not possessed by the trustees.

It has also been urged upon us that school trustees should have the same property qualifications as Aldermen or Councillors, and we see no reason why this request should not be granted.

EXEMPTION FROM TAXATION.

A great deal of evidence was adduced before us on the question of the exemption of churches and charitable institutions from taxation. The weight of evidence was in favour of churches bearing their share of the burden of taxation; and we would recommend that the present exemption of churches and church-sites be abolished. In the City of Vancouver, under its special charter, church property is not exempt at the present time.

TAX SALES.

In the well-known case of Anderson against South Vancouver, a sale of land for taxes, held some twelve or fourteen years ago, was set aside to the great injury of subsequent purchasers of the land. We think legislation should be enacted that would absolutely prevent the recurrence of such a case. We would suggest that when a tax-sale deed is issued it should confer an absolute title upon the purchaser. A provision, in some respects similar to that contained in paragraph (*d*), section 70, of the "Vancouver Incorporation Act," might well be enacted to carry our views on this subject into effect.

REMUNERATION OF HEADS OF MUNICIPALITIES.

Our attention has been called to the amendment, made in 1912, to subsection (8) of section 53 of the "Municipal Act," the effect of which is that only Mayors of cities having a population of over 20,000 can be paid an indemnity. We do not think this was intended, and we would suggest that remedial legislation be introduced at the coming session of the Legislature.

CENSORSHIP.

Recommendations were made to the Commissioners, at their different sittings, that a Provincial Board of Censors should be appointed to exercise supervision over moving-picture shows and advertising posters. We believe such a Board would be a benefit to the public of British Columbia, especially to the young who frequent the picture-shows. We would recommend the establishment of a Provincial Board of Censors, such as obtains in Ontario, in preference to a municipal censorship.

DEBENTURES AS INVESTMENTS FOR TRUST FUNDS.

A great many British Columbia municipal debentures are marketed in the Province of Ontario. The Ontario Act respecting the investment of trust funds provides that the debentures of municipalities in the Provinces of Ontario, Manitoba, Saskatchewan, and Alberta are legal investments for trust funds, but does not include the debentures of the municipalities in the Province of British Columbia. The fiscal agents of some of the municipalities in British Columbia have represented to us that it would help the market for our municipal securities if British Columbia debentures were placed in the same class as the debentures of the municipalities of these other Provinces, and have asked us to recommend that your Government open negotiations with the Government of Ontario with a view to having the Ontario Act amended to cover this. We concur with these representations, and also suggest that the Governments of the other Provinces of the Dominion might very well be approached with the same end in view.

ADMINISTRATION OF JUSTICE IN MUNICIPALITIES.

Some of the smaller municipalities in the interior of British Columbia have represented to the Commission that they are at times put to great expense in intercepting criminals beyond the limits of their municipalities; and it does seem somewhat of a hardship to a small municipality, when a crime is committed within its borders by some non-resident passing through, that it should be at great expense in following such a criminal to distant parts of Canada or the United States to bring him back for trial. We would respectfully suggest that the Government bear a portion of the expense of securing the return of these criminals.

GENERAL.

There are many minor respects in which the "Municipal Act" might well be improved. These we shall deal with in a draft of the Act which we shall submit to the Law Officers of the Crown. Hereto we append the evidence given before us at the meetings held in British Columbia, also notes of information on municipal matters collected by us beyond the confines of the Province, all of which is respectfully submitted.

Dated at Victoria, the 30th day of December, 1912.

W. H. KEARY.
H. A. MACLEAN.
A. E. BULL.

ANALYSIS OF EVIDENCE IN BRITISH COLUMBIA.

COMMISSION AND BOARD OF CONTROL.

On the subject of the form of municipal government there was a great deal of difference of opinion. There was also modifications attached to many opinions that make it difficult to arrive at any determinate result. Taking fifty-four witnesses who did express themselves, the result would seem to stand as nearly as possible as follows:—

Commission (elected)	13
Commission (appointed)	7
Board of Control	14
Present system	16
British plan	4

In considering the above, it should be stated that of the seven who advocated commissions by appointment, five were in favour of having them appointed by the Council and two by the Government, so that those appointed by the Council would be practically Boards of Control. Counted in that way, it would leave nineteen for Board of Control and fifteen for commission, of which thirteen are for elective commissions, though two of these were only in favour of commission for larger places, preferring the present system for small municipalities.

The advocates of the British plan wanted Councillors, Aldermen, and Mayor; but apart from these were a number of others who recommended that the Mayor or Reeve should be elected by the Council in the British way.

Of the organizations that dealt with the matter, the Vancouver Board of Trade refused, as a body, to endorse the commission plan. One of their delegates expressed himself, however, in favour of it, and the other favoured Board of Control.

Generally, preference for the present plan was expressed in the smaller cities and rural municipalities, while in the larger centres the majority desired a change. A number of the witnesses examined confessed that they had not given the matter much thought, and would not commit themselves to any definite opinion.

POLICE AND LICENCE COMMISSIONERS.

On the constitution of these Boards there was also a great deal of difference of opinion, but the general consensus seemed to favour the retention of the present system. Of opinions expressed by fifty-one witnesses, the results were as follows:—

For present system	26
For popular election	19
For Mayor, Police Magistrate, and County Court Judge	3
Part elective and part appointed	2
Committee of the Council	1

Of the organizations that expressed themselves, the Vancouver Board of Trade favoured a commission consisting of the Mayor, the Police Magistrate, and the senior County Court Judge. The Victoria Voters' League was in favour of election. Alderman Hepburn favoured leaving the Licence Commission as at present, but having police affairs in Vancouver administered by a committee of the Council as formerly.

LONGER TERM.

On the desirability of a longer term for Aldermen and Councillors opinion was practically unanimous, though the general feeling was that Mayors and Reeves should be elected annually, so that with half the Councillors retiring each year the new men would be in control. Of fifty-nine witnesses examined, they expressed themselves as follows:—

For two-year term, half to retire annually (2 exceptions to latter)	50
For three years, with annual elections in rotation	4
For four years	1
Against extension	4

Alderman Dodd, of New Westminster, expressed himself against extending the term unless the provision of recall was attached. Some of the witnesses who favoured a two-year term modified it by saying "two or three years," but the great majority were in favour of two years only, with rotation elections, and the annual election of Mayor or Reeve.

LOCAL IMPROVEMENTS.

The evidence on this subject naturally involved a great deal of detail, but one or two points emerged clearly. It seemed to be the unanimous opinion of witnesses that advertising for local improvements is too costly, and should either be eliminated entirely or very much curtailed. The majority of the witnesses were in favour of the elimination of advertised notices, and sending personal mailed notices instead. This system was embodied in the local improvement sections drafted by Mr. F. A. McDiarmid for the British Columbia Union of Municipalities, and which were endorsed by that organization.

Some witnesses pointed out that the requirements for the daily advertising of by-laws were particularly a hardship in places where no daily paper is published. A number of witnesses from district municipalities urged that they should be given the same powers as cities in regard to local improvements, and some advocated that petitions for by-laws should be abolished.

WARDS.

The majority of witnesses examined were in favour of the ward system. One of the witnesses, Alderman Irwin, of North Vancouver, expressed himself as in favour of wards for large places, but against them for small municipalities. Another, Mr. Jonathan Rogers, of Vancouver, thought it would be better if half the Aldermen were elected from wards, and the other half from the city at large. Witnesses expressed themselves for or against wards as follows:—

For	26
Against	17

MUNICIPAL POWERS.

Opinions as to the powers that should be given to Municipal Councils were very varied. Two said they thought municipal powers should be given along the lines of the "British North America Act," specifying the things they might not do, but leaving them at liberty to do anything else.

Some thought that the powers of cities should be given to rural municipalities. Quite a number urged that municipalities should have greater control over their streets and roads, and companies operating thereon. Numerous other points were urged, such as that Councils should be able to revoke or modify old franchises, that they should inspect dairies or extend services beyond their limits, to cut dangerous trees, to prohibit the erection of unsightly buildings, signboards, etc. There were also pleas for municipal ownership, which are dealt with under a separate heading.

MUNICIPAL OWNERSHIP.

Evidence on municipally owned utilities showed that in every instance the waterworks were paying, the one exception, perhaps, being Penticton, where the domestic service is so involved with the irrigation service that it seems hard to deduce from the evidence a clear statement as to its standing. In Summerland, where the two are combined, the results appear to be satisfactory. Municipally owned electric-light systems appear to be paying, with the possible exception of Revelstoke, where Dr. Hamilton, an ex-Mayor, stated that it had not paid if everything against it was counted. Four municipalities and the British Columbia Union of Municipalities asked for the right to own and operate telephones. Witnesses from Vancouver and Point Grey, and the British Columbia Union of Municipalities urged that municipalities should be given the power to operate motor-buses or railless trolly systems.

PUBLIC UTILITY COMPANIES.

In Victoria there was considerable complaint about troubles with the B.C. Electric Railway Company and the Esquimalt Waterworks Company in connection with their work on the streets. It was claimed that these companies tore up paved streets to lay their pipes

without asking permission from the Council. The manager of the Esquimalt Waterworks Company appeared before the Commission, and denied some of the statements that had been made and explained others. In Cranbrook it was also reported that there had been a little trouble, and some of the up-country municipalities complained of the powers given to the B.C. Telephone Company in this connection, though it was not stated that they had been abused. Generally it was urged that municipalities should be given greater control over public utility companies.

CENSORSHIP.

A number of witnesses and the Vancouver Board of Trade urged the establishment of a censorship over moving-picture films, vaudeville shows, posters, etc. The majority favoured a Provincial Board of censors; others (more particularly in the interior) urged that the censorship should be municipal, as the shows and films came in from different points; and some were in favour of giving the chief of police the power of censorship.

ELECTIONS.

As to the date when the municipal elections should be held, there was great diversity of opinion. A number of witnesses favoured holding the elections at the end of November or the beginning of December, so that they would be over before Christmas, and the Council ready to start work with the New Year. As a corollary to this, it was urged that the fiscal year close October 31st, so that a financial statement might be placed before the electors. On the other hand, many Councillors and municipal officials favoured leaving the dates approximately as they are, but giving a longer time (especially in cities) between nomination and election. Some urged that nomination in cities should be on Monday and election on Saturday, the same as in rural municipalities; but others objected that Saturday was a busy day in the stores, and that a week between nomination and election would be better. A number of municipalities said that they found no difficulty with the present system. One witness, Alderman Hepburn, advocated elections on New Year's day, the same as in Ontario; but this proposal was rejected by the Vancouver Board of Trade.

AUDITS—ACCOUNTS.

Some thirty of the witnesses examined expressed themselves in favour of Government inspectorship of audits, and four at least favoured an actual Government audit. Two witnesses from rural municipalities urged that at least an annual audit should be made compulsory.

As to the desirability of a uniform system of municipal accounting, among the witnesses examined there was not a dissenting voice; twenty-eight expressed themselves in favour and no one against.

SINKING FUND.

It was found that the greater number of municipalities had placed their sinking funds in the savings-banks at interests ranging from 3 to 5 per cent. A few had invested in first mortgage on real estate, limiting themselves within 5 per cent. of the assessed value. A number also had bought back old debentures. Some held that it was desirable that municipalities should have the right to invest sinking funds in mortgages; others held that it was dangerous. Vancouver and Burnaby had formerly invested in mortgages, as also had New Westminster; but all these municipalities have now abandoned that practice.

TAX SALES.

There were a number of suggestions for alterations in tax-sale laws, such as that they should not be annual, they should not be compulsory, and that title should be given at time of sale and no redemption allowed, but the surplus over arrears paid to the owner. The British Columbia Union of Municipalities urged that a limit should be placed on the time for starting actions to set aside tax sales, and one witness advocated that all tax sales should be validated up to five years ago.

SCHOOL BOARDS.

Owing to the increased cost of maintaining schools, it was found that in many municipalities there were difficulties in financing them. Although the limit of the levy for school maintenance is 5 mills, in Rossland it was stated that it really cost about 15 mills to

maintain the schools, and the cost in other places graded down from that to about 3½ mills Under these circumstances it was strongly urged that the limit that might be levied should be increased; some urged to 10 mills, others to 6 and 7. There were also many complaints about the burdens thrust upon some municipalities by having districts extending beyond their borders in which they could only levy 5 mills, while it was costing the municipality from 10 to 15 mills to maintain the schools; but against this it was pointed out that the municipality received Government grants. In connection with Government grants, it was urged that they be placed on a fixed rather than an arbitrary basis. Many remedies were suggested. Some held that the Council should have complete control of the School Board finances; others that the treasurer of the schools at least should be directly under the Council. Some were in favour of allowing the School Board to levy and collect its own rates. Some urged that the School Board's annual estimate of expenditure should be final, and they should have no right to come back to the Council for more. Some witnesses favoured property qualifications for school trustees. While some advocated a 7- or 10- mill limit on school taxation, others contended that there should be no limit at all. Among those was the British Columbia Union of Municipalities, though it was explained that the conclusion had evidently been arrived at under a misunderstanding as to the real nature of the law.

WATER SYSTEMS.

It was urged by three witnesses that the Government should reserve land and timber around the sources of water-supply for cities, so that it might be kept pure. A frontage tax on city water systems was also advocated.

TAXING AUTOMOBILES.

Since automobiles passing through damage the roads of municipalities, it was asked at Duncan that the Government be recommended to return some of the licence fees to municipalities. North Vancouver District asked that they be given the privilege of charging higher automobile licences.

STREET TRAFFIC.

It was urged in Vancouver that pedestrians should be given the right-of-way at street-crossings, but vehicles should have it between the intersections. It was also suggested that horse-vehicles should be compelled to carry lights at the front and rear.

ASSESSMENT AND TAXATION.

Under this head a great variety of suggestions were made, but they involve so much of detail that analysis is difficult. Generally there seemed to be a tendency to take taxes off improvements and place them on land only. It was also urged in several places that the Government should turn over the personal-property tax to municipalities. One witness complained that the period between Court of Revision and the appeal to the County or Supreme Court was too long and delayed work. Another held that the revision of the roll should not be in the hands of the Council, but of an independent Tax Court. It was urged by one witness that transfers of property in rural municipalities should be registered with the assessor; and by another that assessors should have power to take evidence under oath. Some it was found made up the assessment roll from the Land Registry Office records, while others depended on general information. Mr. Jonathan Rogers, of Vancouver, urged that there should be a special assessment for park purposes rather than a Government grant.

EXEMPTIONS.

Considerable evidence was heard on the question of the exemption from taxation of churches and charitable institutions. Of twenty-nine witnesses on church exemption, opinions were expressed as follows: For church exemption, 8; against, 21.

Among those who spoke against the exemption of churches were the ministers of several denominations. It was generally agreed that public hospitals should be exempt, though one or two advocated taxing them and afterwards giving them a grant. Among the bodies opposed to exemption were the British Columbia Union of Municipalities and the Vancouver Board of Trade. The former held that no land should be exempt from taxation, while the latter urged that only Dominion, Provincial, and municipal property should be exempt. It

was generally agreed that nothing, except the latter properties, should be exempt from local improvement taxation, and some included Government property also. Most of those who spoke were opposed to the exemption of institutions such as the Young Men's Christian Association. That organization in Vancouver put in data on its own behalf, arguing for exemption.

MUNICIPAL DEPARTMENT.

There was unanimity of opinion as to the desirability of the establishment of a Municipal Department in Victoria. Some favoured a Municipal Commissioner; others urged a body with powers like the Local Government Board in England; but all agreed that it would be a good thing to have some central authority to which municipal statistics could be sent annually, in charge of some person or persons conversant with municipal affairs. While one or two urged the creation of a Minister of Municipalities, it was more generally agreed that an office in connection with an existing department would be sufficient.

FISCAL YEAR.

The difficulty experienced in some places of getting out a financial statement between the close of the year and the annual elections led to a number of suggestions for earlier closing of the fiscal year. The British Columbia Union of Municipalities asked that it close one month earlier than at present, so that the statement might be presented before the January elections. A number of witnesses were also in favour of having it close October 31st, with the elections the first week in December.

GENERAL FINANCE.

Several witnesses urged that the Government should either purchase municipal debentures or at least guarantee them. The Mayor of Duncan asked that, in view of the stringency in money markets, municipal debentures should be issued as high as 7 per cent. instead of 5 per cent. He asked also that they be allowed to license persons selling stocks and shares. In Nelson a witness advocated that municipalities, instead of selling debentures, be allowed to issue coupons of $100 at 5 per cent., which might be sold locally. In the same place the clerk pointed out that there was no provision for paying off debentures in equal annual instalments. It was argued by witnesses in different places that rebates for the prompt payment of taxes should apply to debenture and school rates as well as to other rates, and one witness added that the rebate generally, instead of being one-sixth of the whole, should be only 10 per cent., and that any surplus should be carried to next year's account. Other suggestions were that the power of municipalities to buy stock in joint-stock companies should be made clearer; that the purchase of assets should not count against the borrowing-power; that the Government should only charge a nominal sum against municipal hydro-power plants; that municipalities should be allowed to charge interest against capital raised on by-laws until it gets returns.

SUBDIVISIONS.

A number of rural municipalities urged strongly that they should be given power to compel persons subdividing property to clear and rough-grade roads in the same. The British Columbia Union of Municipalities asked that owners should not be allowed to subdivide any property by metes and bounds unless with the approval of the Council. Several witnesses also held that the subdivison of lots should be subject to the regulation of the Council, as to the size, contour, etc. In the Okanagan Valley it was argued that compulsory 66-foot roads often worked a hardship east of the Cascades. It was urged that all subdivisions should be submitted to the Council before registration.

EXPROPRIATION.

There was some complaint of the difficulty municipalities found in securing title for land expropriated or exchanged for street purposes, and Mr. McQuarrie, of New Westminster, in a letter to the Commissioners, pointed out the difficulty that the municipality found in endeavouring to resume property. One witness, Alderman Cuthbert, claimed that the City of Victoria had been robbed of thousands of dollars in expropriations for street-widening. The British Columbia Union of Municipalities also dealt with the matter in No. 4 of their resolutions.

VOTERS' LISTS.

Many views were expressed on the preparations of the voters' list and many difficulties were exposed. One of the greatest difficulties was in connection with the transfer of property which might have changed hands several times before it was registered again. It was agreed that the registered owner, who is now entitled to vote, had very often the smallest interest in the property. The consensus of opinion appeared to be that the last purchaser, the man paying the taxes, should have the vote. A few urged that both registered and assessed owner should vote, and some held that it was simpler to leave the vote with the registered owner. In view of the congested state of the Land Registry Offices, it was urged that application for registration should be sufficient to entitle the holder of an agreement of sale to vote. Some witnesses held that the present right of waiver from the registered owner to the assessed owner was of little value, since one case was stated in which a property had changed hands seventeen times, and it was impracticable to legislate that the waiver should pass from the first owner to the last holder of agreement through such a chain. The general opinion was that the simplest procedure was to compile the voters' list from the assessment roll.

The householders' vote was again a subject of difficulty. It was held that the time for registering household voters should extend through September and October. One witness urged that the municipal voters' list should be the same as the Provincial; another that votes should be given only on property qualification. In some places it was found that lodgers in hotels were placed on the voters' list; in others they were not. A number of witnesses thought it would be better if the vote were confined to *bona-fide* tenants. In Victoria, Mrs. Gordon Grant and Mr. McEwan, of the Voters' League, both asked that women should be placed on the voters' list on the same conditions as men.

Dealing with the property votes, the British Columbia Union of Municipalities recommended that the last purchaser who could show a 25-per-cent. interest in the property should have the vote. They also urged that where there were wards a property-owner should be allowed to vote in every ward in which he has property. They further asked that the municipality shall be allowed to appoint persons to take declarations for the voters' list. In one case it was held that the vendor should be compelled to make a declaration to the municipal clerk or assessor as soon as he has sold his property. Various objections were urged as to the time or residence and the shortness of the period between the closing of the voters' list and the election. The difficulty of determining who were British subjects on property votes was also pointed out.

INCORPORATION.

It was pointed out that the incorporation of municipalities might be facilitated if when a place had grown to a certain size in population the Government should proclaim its status, and so save the expense of taking out incorporation papers. It was also recommended that a vote of three-fifths of those residents entitled to vote on money by-laws should be sufficient for incorporation without counting the absentees at all; and that votes should be on residence, not property valuation.

MISCELLANEOUS.

Among other matters brought before the Commissioners was the grading of municipalities into four divisions, which was strongly urged by the British Columbia Union of Municipalities. Several Ministers argued that clergymen should be eligible for seats on Councils and School Boards. It was asked that greater remuneration should be allowed for Reeves and Councillors in rural districts, and that licensing of trades should be optional with municipalities; that hospitals should be public institutions; that municipalities should be allowed to restrict horse-racing; that the power of earlier closing of bars should be given them; that pool-rooms should be licensed; that youths under twenty-one years of age should not be allowed in bars. One matter urged in several places was the difficulty that municipalities incurred in caring for the transient indigent, sick, and insane. The discrepancy between circus and carnival licences was pointed out, and it was asked that pedlars' licences should be increased. Municipal Civil Service Commissions were recommended. It was further urged that initiative, referendum, and recall be added to the present municipal constitutions; that the Government should have direct control of municipal policing; that carbon copies of all receipts and expenditures should be kept; that the definition of "wild land" in municipalities should be clearer; that the Government should recommend engineers for municipalities; that all streets should be vested in the municipality; and that Councils should have the right to aid gymnasiums for volunteer fire brigades.

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