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3792 Knight Road,
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Professor Frank R. Scott,
Department of Law,
McGill University,
MONTREAL, P.Q.

Dear Professor Scott:

In view of the result of the last Federal election in British Columbia when the C. C. F. polled the largest vote of all parties, and in view of the possibility of their forming the next Government in B. C., the C. C. F. are now at a point where it must seriously consider the putting of its theories into practice.

It is very essential that we know our constitutional authority under the Provincial and Federal laws, and I am, therefore, as chairman of the Policy and Tactics Committee of the British Columbia C. C. F. Economic Planning Commission, submitting to you a rough draft of a policy which I have prepared somewhat on the lines of that laid down in Belgium.

It is imperative that we know the full limits of our constitutional authority, the constitutional and legal obstacles that we will have to meet, and on what phases of our economy we should concentrate our immediate attention.

There are, therefore, a number of points on which I would appreciate your comment, as follows:

1. Should the C. C. F. Government socialize a sector, which could be ever expanding, taking over step by step industries so as to benefit the standard of living? If so -

- (a) GASOLINE: Are there legal obstacles to making the distribution of gasoline a Provincial monopoly? What methods could be used to obtain the desired result? What are the limits of Federal interference with this proposal - e.g. - dumping duties etc.?



2.

- (b) INSURANCE: This field of economy could be used as a means of increasing Provincial revenue. Can it be socialized? Is socialization desirable as a first step? Or, should we make a flank attack by entering the competitive field?
- (c) BREWERIES: The immediate socialization of breweries would be a very popular and remunerative move. Have we the power to expropriate and what method would you suggest?
- (d) POWER: Although the socialization of power is highly desirable and should be undertaken as rapidly as possible, it may be necessary at the commencement of social authority to only control it. What powers have we in this direction and how would you suggest that they be used?
- (e) TIMBER: This is the basic industry and, naturally, although we are very anxious for it to be *socially realized*, still we recognize that there is a vast problem here, as it depends on a foreign market and, any sudden dislocation of the industry, would create a great hardship on the entire province of British Columbia. However, it is essential to remember that B. C.'s timber is being mined and not harvested, and, unless strong action is taken, this resource will be practically wiped out in the period of the next fifteen or twenty years.

2. To what extent can we use our autonomous power to change our Provincial Constitution re parliamentary procedure, administration, Civil Service, and method of elections?

3. To what limit can the legislature delegate its powers to outside bodies?



3.

4. Can any Provincial law be disallowed by the Governor General? Do constitutional reasons have to be given for such disallowance and is there any method of getting around such action?

5. Should our Statutes be legally challenged - how can we meet such challenge?

Can the Crown prevent an injunction being taken out against it? During Court action, can a policy be continued until proven ultra or intra vires? In case of Court proceedings, can the legislature pass a statute designed to counteract said proceedings and make it retroactive and thus automatically throw the action out of Court?

6. Can we subject private monopoly to State control? How far can we go and how are we affected in attempting to control a company which operates under a Dominion Charter?

7. What is our constitutional powers in the suppression of speculation on money markets and how would you suggest it be used?

8. Can we set up a Provincial Bank? If so, of what type and in what way can it be used to further the aims of a C.C.F. Government?

9. Have we any control of:

- (a) Interprovincial trade;
- (b) Commodity prices;
- (c) Influx of workers into B. C.;
- (d) Compulsory unionization of workers;
- (e) Working conditions and wages of employees engaged in interprovincial transportation, communications and banking institutions?

10. What suggestions can you make as to the methods which a C. C. F. Government should use to finance itself in the initiation of the transition period?

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4.

I would greatly appreciate any general comment that you could make on our constitutional power? What we can do? What we cannot do? What we must not do? What we might attempt to do?

Yours sincerely,

Harold E. Winch

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P.S: Very important.

How would you suggest tackling the agricultural economy of B.C.?