

sittings, either at Victoria or Vancouver, for hearing any appeals that might be heard at the next regular sitting at either of such places. And finally, section 30 of the Act provided that the Act should not come into force until a day to be fixed by the Lieutenant Governor in Council. That enactment was followed by a necessary Act of the Parliament of Canada, which is chapter 10 of the Acts of this parliament for 1908. Sections 1, 2 and 4 of that Act provide that certain jurisdiction which had heretofore been conferred upon and was to have been exercised by the Supreme Court of British Columbia, sitting as a full court, should thereafter be exercised in the province of British Columbia by the court of appeal as constituted by the Act of the province of British Columbia to which I have alluded. Section 3 of the Act made provision for the salaries of the judges, and section 5 provided that the Act should not come into force until the Act of the legislature of British Columbia which I have already quoted from had been brought into force; and thereupon this Act of the Parliament of Canada should come into force upon a day to be named by proclamation of the Governor general in Council.

I am informed that communication was sent to this government as far back as the month of May, 1909, to the effect that the Act of the legislature of British Columbia from which I have quoted would be brought into force by proclamation of the Lieutenant Governor in Council on the first day of September, 1909; and I presume that intimation was given to this government in order that they might make the necessary arrangements for the appointment of judges and of a chief justice; so that as soon as possible—immediately, if possible, upon the proclamation of the British Columbia Act—the court should be constituted and proceed to carry out the jurisdiction and perform the duties which were imposed upon it by the British Columbia statute and by the statute of the Parliament of Canada of 1908.

The Act of the legislature of British Columbia to which I have alluded to was accordingly brought into force, by the proclamation of the Lieutenant Governor in Council on the first day of September, 1909. I have the British Columbia Gazette containing the proclamation in my hand, but I do not suppose there will be any conflict as to the fact. It appears that although the Act was proclaimed on the first day of September, 1909, and although by the statute of British Columbia the jurisdiction of the Supreme Court of that province sitting as a whole court has been transferred to that court of appeal, there have been up to the present time no appointments to the positions which were necessary in order that that court should be fully constituted so

as to proceed with the performance of its very important duties. In the first place, I would like to ask the government why it is, that there has been this extraordinary delay on their part after they had received, as I am informed, full notice and information as far back as the month of May last, six months ago, that the Act would be brought into force on the 1st of September last? I would further ask the government why it is that the confusion and the embarrassment and the delay to public business and the uncertainty in matters of legal procedure which must necessarily result from their inaction in that regard have been allowed to come to pass? I may say that there have been very unpleasant rumours prevailing in the province of British Columbia, especially of late, as to the reasons which have influenced the inaction of the government. There have been rumours to the effect that gentlemen who are taking a very active part in provincial politics at present, and whose names have been mentioned as possible judges to be appointed under the statute, have had some sort of intimation or some sort of understanding that their claims to positions upon the bench of that court would be very favourably considered by this government in a certain contingency. Now, any rumour of that kind is a decidedly unpleasant thing, and I am sure every man in this House will agree that any such condition would be absolutely a disgrace to the administration of justice in Canada. I would first inquire from the government whether or not there has been directly or indirectly any promise made to, or any understanding with, any of these gentlemen who are now actively engaged in the provincial campaign in British Columbia, as to the recognition of their claims when the appointments come to be made to this court of appeal? In addition to that, I have to ask that a definite and explicit answer shall be given to the question: why, when the province of British Columbia has constituted a court which in the judgment of the people of that province is necessary, and why when this parliament has been advised of that action and has taken the necessary steps to place upon the statute-books of Canada the enactment to which I have alluded, why is it that in view of all these circumstances the government of this country has allowed no less than ten or eleven weeks to elapse during which legal business, so far as the Court of Appeal in British Columbia is concerned, has to remain at a complete standstill, or to be in such a state of confusion and uncertainty as to be absolutely detrimental to the public interests of the province? Under these circumstances I thought it no more than right that I should bring to the attention of the House and of the government the matters to which I have alluded thus briefly. I do venture to think