bia joined the Union, and the Imperial and Colonial Acts and Orders in Council which consummated it.

The action in which these points have come up for judicial decision is "*The Thrasher Case,*" (*Sewell and others* v. *two B.C Towing Companies,*) in which the plaintiffs, an influential and wealthy American shipping firm, sought to recover $100,000 damages for the total loss of their ship the *Thrasher*, by alleged negligence on the part of the tugs. They had, under section 6 of The Dominion Superior Court Amendment Act, gone direct to the Supreme Court at Ottawa, to appeal against the decision of the Chief Justice at Nisi Prius at Victoria, and because the Lieut.-Governor in Council, (or, as they construe it, the Local Government) after proceedings commenced and plea pleaded under a set of rules which allowed an appeal to a Court of final resort in the Province, had passed rules which practically denied them that remedy, the Supreme Court at Ottawa sent the plaintiffs back to Victoria to use every effort to obtain the judicial decision of at least a plurality of British Columbia Judges, on a motion for a new trial, before they could assist them. Practically, this was to test the validity of the B. C. Rules of Court, referred to in the direct application at Ottawa.

It will be impossible to give our readers, even approximately, a clear idea of the position of affairs which brought about this result, without entering into a short history of the origin, progress, and present position of B. C. Supreme Court, and somewhat also of the B. C. County Courts. We have before us the judgment of the Supreme Court Judges of B. C. in a murder case, *Regina* v. *McLeans & Hare*, in a report carefully prepared from the judges' notes, and published at Victoria by the Honourable Mr. Justice Crease in 1880. This gives much information with respect to the B. C. Courts. So little is known of our western sister, owing to its distance and youth, that we have obtained such further information as we could procure on the subject. This we propose to give to our readers, not, of course, guaranteeing perfect accuracy in all respects; but under the conviction nevertheless that it will on examination be found to be very generally correct.

The Supreme Court of British Columbia, we learn, occupies apparently a somewhat exceptional position among the Superior Courts in the other Provinces of this, our new Dominion. It is represented in this judgment as being the heir of all the powers and all the privileges of the former Supreme Court of Civil Justice of the mainland of British Columbia, and the Supreme Court of Civil Justice of Vancouver Island. The former of these by an early ordinance, long out of print, almost out of personal memory, was especially invested by name with the criminal jurisdiction of the Queen's Bench, and by a subsequent ordinance, 5 June, 1859 (B. C. Con. Stat. No. 51), had "complete cognizance of all pleas and jurisdiction in all cases, civil as well as criminal, arising within the colony," and this without qualification or reserve. By the proclamation (having the force of law) of 19 Nov., 1858, (for the mainland alone) and by the ordinance of 1867, (Consol. Stat. c. 103), the civil and criminal laws of England, as they stood on the 19 Nov., 1858, are now in force in the whole of British Columbia, save where they are from local causes inapplicable, or have been altered, since 1867, by competent legislation. This includes statute as well as common law, and practice as well as doctrine.

In the various political changes which led to the union of the two formerly separate colonies of British Columbia (Mainland) and Vancouver Island into one colony by the name of British Columbia, all those powers appear to have been enlarged rather than abridged. No single one was taken away, but one by one they were gradually all accumulated, and at last, by statutes framed directly under the eye and order