No one can help being struck by the contrast between the mining laws of California and those of British Columbia.

Broadly speaking, no laws in the known world compare favourably with those of Britain, and we believe that our American neighbours admit this, but a great deal of the superiority of our laws depends upon the fact that we make laws to be administered and administer them, whereas the Americans make laws and laugh at themselves for doing so. The genius of America, Kipling says, bids the American "flout the law he makes, and make the law he flouts."

This is one of those wonderful summaries of national character for which Kipling has become famous, but for all that, the Americans have made some excellent laws and in some cases have administered them with a whole-hearted sincerity of which we see nothing in British Columbia.

Speaking only of that which we have known we would instance the laws for the preservation of forests from fire and the preservation of game.

Of course it is not fair, as was pointed out in the Convention, to condemn a law as a bad law because it is badly administered. This was the mistake all through the Convention in dealing with the question of the Gold Commissioners' discretionary powers, which if wrongfully exercised, can be controlled by means set out in the Statutes.

But apart altogether from the question of administration, whilst it must be admitted that as a whole our own laws are superior to those of the States, it must also be admitted that in our mining laws we might well take example from those who have mined longer and more successfully than we have done. Their laws are, as far as the writer has seen, concise and simple: plain words for plain men to read.

It seems to the writer that it is essential to a good law that it should be concise, written in simple English, understandable by the people, in words which as far as possible can have but one meaning and that the meaning plainly expressed upon the surface.

Pace Mr. Galt of Rossland, one of our ablest members, the object of legislatures should be as far as possible to get rid of lawyers who are a source of expense to the people, and of litigation which brings no profit to the State. If the laws were simply worded, a long step would have been taken in the right direction. Men do not need interpreters of a language which they themselves understand, and the day has gone by when all the professions were supposed to be justified in hiding simple things under Latin names, and making mysteries of matters which the common folk could understand for themselves.

The writer has himself been through the mill as an English barrister and knows well the arguments in favour of professional language, but he knows, too, that a will drawn in the simple language of Hodge is more valid often than the most lawyer-like document ever drawn.

So may it be with our laws if we will only use ordinary English, carefully employing only those words of which we know the exact meaning.

These remarks especially apply to our mining laws, which should be so condensed and so simplified that every poor fellow who lards our lean earth with his sweat in the Kootenay hills or Cassiar willow swamps can read them in half an hour and understand them at the first reading.

Let us take a few special instances to illustrate our general meaning. The British Columbia Water Clauses Act (consolidated) covers 61 pages and is contained in 154 clauses. In Cobb's American Mining Code we find the law relating to the water rights of California set out in four pages and about a dozen clauses. Here is a specimen of the language employed:

1410. "The right to the use of running water flowing in a river or stream or down a canyon or ravine, may be acquired by appropriation."

Less than three lines are thus employed to tell a man for what purposes he may appropriate and under what circumstances his title to water so appropriated will cease.

Ten lines tell him how to appropriate, to post notices, etc., and there is the pith of the whole matter.

Now, take an instance of the vagueness of our own law.

I won't hark back to a beautiful amendment to the Game Act which I once saw on its way to the second reading, which had become so involved that it provided not only for the protection of roosting pheasants but also for the protection of such sweet little dears as moose, big-horn and mule-deer "when roosting in trees." But let me instance a clause on the Statute Book to-day, Clause 102, of the Placer Act. Here it is:—

102. "Any free miner or two or more free miners, holding adjoining leases as creek claims, or leases of any other placer mining ground, may consolidate as many as ten leases," etc., etc.

Now, if this is not well and clearly drawn, the purport of it is at least clear. Surely it means that the claims whatever they are which are to be consolidated must *adjoin*. "Adjoining" is the forerunning word and ought of course to have been repeated, but as it has not been we are told that an attorney-general has translated this to mean that a man may consolidate ten claims in ten different parts of the country although such a translation is diametricaally opposed to the general spirit of our mining laws which as a rule stipulate for consolidation only where such consolidation would enable a man to work several claims as one mine.

The men who originally drafted our laws, drafted them clearly enough and the spirit of them is plain to-day, but there has been too much tinkering by unskilled or interested tinkers and the originals have become dim.

As a last example. The old law gave a man 80 acres of placer ground under a lease for 20 years because the men of that day thought 80 acres enough for any one man and knew that he could work out 80 acres in 20 years, but they did not provide for blocks of 800 acres. Those could not be worked out in 20 years, but then the old law makers never meant them to be.