

economic questions, the MINING RECORD is not published to represent the personal views of its editor or the views of Mr. Kirby. It is published in the interest, and endeavours to recognize the requirements of, the mining industry of British Columbia, and to that extent it supports the Provincial Mining Association. But all this is beside the point. In the matter now under discussion, the whole question hinges on the powers vested in the Executive Committee. Whatever those powers may now be we do not think it either expedient or right, nor was it intended, that seven committeemen, representing a quorum, should be permitted to commit three thousand persons—that or thereabouts being presumably the membership of the Association—to the endorsement of so radical a measure as that recommended, for example, by Mr. Kirby—a measure, concerning which there had been no general discussion, and of which very probably the Association as a whole might not approve. In the case in point the Government were fully apprised of the circumstances under which the resolution was passed, and consequently felt disposed to take as much notice of it as was taken of the famous petition said to have been presented on an historic occasion by the three celebrated tailors, who claimed to represent the people of England. That is the principle of the thing; to reply directly to the *Inland Sentinel's* contention, we submit that Mr. Kirby did not offer an alternative for the two per cent. tax. He proposed an entirely new system of taxation by which other interests would be more seriously affected than mining, and this without their consent or approval. Furthermore, while it is true the Government did ask for alternative proposals, the Convention which appointed the Executive Committee decided almost unanimously that the Association had no wish or intention to assume the prerogatives or duties of the Legislature in these respects. Again if the Executive is allowed to make attacks on civil servants, it will be easily recognized how dangerous a weapon is placed in the hands of individuals for venting personal spites or for avenging personal wrongs, real or imaginary. It seems to us therefore that if the Provincial Mining Association is to continue to occupy an influential position and accomplish the purposes for which it was organized, a better system or working, or rather the system originally conceived, must be followed out, and somewhat on these lines: A Convention is held once a year at which are present delegates representing not only localities but interests directly and indirectly dependent upon the mining industry. Thus we recognize officially in the Association five distinct classes, namely, miners and prospectors, mine-managers, mine-owners, smelter, business and professional men, and farmers and others. At this Convention, which is a thoroughly representative gathering, matters affecting the interests of the mining industry of B. C. at large are brought up for discussion, resolutions are passed and an Executive Committee is appointed for the express purpose of bringing to the attention of the proper authorities the requirements and wishes of the mining communities and take the necessary steps to see that they are carried into effect; these wishes and requirements having been very clearly

set out by resolution passed in Convention. When the Executive Committee has attended to this duty, it is expected to meet periodically to receive, consider and deal with suggestions and recommendations from branch organizations on matters affecting the interests of individual localities, and not, presumably, those of the whole Province. Should the occasion arise, however, when some question of general interest and importance arises with which it is advisable that the Mining Association should deal, then before taking any decisive action the Executive Committee should certainly take the precaution to ascertain the views and wishes thereon of every branch organization. Of course, under the new system proposed of giving each district better representation on the Executive, and also providing for a larger representation of practical mining men, theoretically, at least, most of the objections to the present system will be removed, but this notwithstanding we still think that most of the important business of the Association should be done in Convention, leaving to the Executive the task merely of endeavouring to render effective the wishes of the Convention. We therefore agree with many of the conclusions arrived at by Mr. Leslie Hill, and expressed by him in his open letter to Mr. Hobson, although possibly we may not argue from precisely the same premises.

#### JUDGES AND EXTRA JUDICIAL WORK.

IN last month's *Canadian Law Times* appears an interesting letter from the pen of Mr. Justice Martin, on the subject of "Judges and Extra-Judicial Employment," wherein the learned writer argues with much clearness and force against the practice of appointing judges to sit on commissions, while for the same reasons he would have removed "all temptations in the nature of" railway passes and directorships, the acceptance of which might even unconsciously affect judicial independence of thought and action. There can be no doubt at all that the view of the matter Mr. Justice Martin takes is a high and, in the main, a right one. So far, at any rate, as directorships of public companies are concerned, any judge accepting an invitation of the kind would be taking not only a greater personal risk and assuming a heavier responsibility than a private individual would be called upon to carry, but he would also take the more serious risk of bringing a high and dignified office into possible disrepute. That, of course, is the extreme view, for no Canadian judge in his right mind would dream of joining the directorate board of a company engaged in anything resembling a speculative business. Even the most legitimate and conservative of business enterprises, however, may come to grief, possibly under circumstances necessitating legal investigation or action, and consequently if on no other than politic ground, it is certainly inadvisable that judges should allow their names to be associated with any commercial or industrial undertaking of whatever nature. It is a common practice in Canada for judges to be tendered passes by railway and steamship companies.