

are they allied to the basic industry of the country, but I do believe that in some of these legal matters the assistance of the farming fraternity would tend at least towards simplicity, efficiency and the necessary cheapening of the processes of law. I think, therefore, that the House should not have in its membership too great a quantum of lawyers, and it is perhaps well that a farmer and not a lawyer should come to this House from North Essex.

The question raised by the leader of the opposition (Mr. R. L. Borden) has, I think, been well raised. It is felt by everybody in British Columbia, be he litigant or non-litigant, that we have suffered very much from the law's delay. It is hard enough, Heaven knows, for the average individual to get into the clutches of the law, and it is very much harder for him to be eating out his soul with anxiety while a decision is pending. Our position is very much harder at the present moment when we have absolutely and literally no court of appeal existing in the whole province and have not had since the first of September when this proclamation came into force. I do not wish to dilate on the remarks of the Minister of Justice (Hon. A. B. Aylesworth) as to the delay on the part of the province in proclaiming this matter, but we have heard it stated, and I have every reason to believe that it is true, that due notice was given to the Minister of Justice here as long ago as last May, that it was the intention of the province to proclaim this Act on September 1, or at the end of August and, ipso facto, therefore, there would be absolutely no way in which a man in British Columbia could appeal because there would be no court of appeal until judges were appointed by the Dominion government. The Minister of Justice (Hon. A. B. Aylesworth) has, it is true, expressed his wish not to see judicial matters mixed up in politics, and yet he took on himself, I think rather illogically, rather unnecessarily and perhaps in a somewhat undignified way, to state that this Act was not proclaimed by the government of the province of British Columbia because it was hoped that after the election of 1908, the government of Canada might be of a different political complexion. If that is so, and if the Minister of Justice, taking that lofty idea, thought he could attack a province for delay on account of political reasons, it was evidently and abundantly clear that he should have taken particular pains to keep himself clear of the criticism which he might incur by leaving a whole province void of a court of appeal when some of the gentlemen who may be on that court are now taking part in an election campaign against the present provincial government. The Minister of Justice (Mr. A. B. Aylesworth) has stated that he very much regrets the delay, that he has not been ready

to decide on the personnel of the court and he does not wish to discuss that question in the House. That is a sentiment in which we would probably all agree, but I would point out to him that the personnel of the bench has been very freely discussed all through the province of British Columbia by Liberal newspapers, and name after name has been bandied about in those newspapers as the names of gentlemen who are to fill positions on this court of appeal. So far has it gone that some time ago despatches were published in the chief Liberal newspapers announcing that the appointment would shortly be made of the late leader of the Liberal opposition in British Columbia, a gentleman who has the unflinching respect of all people in British Columbia, Liberals and Conservatives, and that gentleman and his friends seem to have attached such full credence to that report that he retired from the leadership of the Liberal party in British Columbia and, to his credit, is not taking any part in the campaign now in progress. I do not know that this can be said of several other gentlemen whose names have been mentioned. The Minister of Justice (Hon. A. B. Aylesworth) says that these matters should be kept entirely free from party political influences. Unfortunately it does not always come with the best grace from the Minister of Justice, when we have had in the past in British Columbia the spectacle of judges shortly before an election, before their resignations had been accepted, taking part in party politics, and then stepping down from the bench into the party arena. In 1907 we had an extraordinary spectacle when a gentleman who had been in party politics in British Columbia and who had been rewarded by being appointed to the important position of governor of the Yukon—I refer, of course, to Mr. W. W. B. McInnes, a very energetic and strong champion of the Liberal cause—went up to the Yukon, and behold Mr. Henderson stepped down from his position on the bench, went into party politics, was defeated in 1907, and was rewarded by being appointed to Mr. McInnes' place as governor of the Yukon while the Dominion government compensated Mr. McInnes by putting him on the bench. When we have such an extraordinary shuffle as that, well may the Minister of Justice (Mr. A. B. Aylesworth) say that the judiciary ought to be above party politics. I would like to re-emphasize the fact that at this time every man in British Columbia is in this position that if he wants to appeal a case, he cannot appeal it simply because we have no such thing as a court of appeal in British Columbia, and have not had since September 1. The Minister of Justice (Mr. A. B. Aylesworth) concluded his remarks by saying that he knew of a great many gentlemen who would make very excellent judges. Possibly he does, possibly we all do, but he says although he