

strictness, is not binding on this Court." *Bell v. Great Northern Railway Co.*, 26 L.R. Ir. 428. See also *Smith v. Brown*, L.R. 6, Q.B. 736; *Dulieu v. White*, 1901, 2 K.B. 669. So e converso, judgments of the House of Lords are not binding on colonial courts. This is pointed out in the case of *Healy v. Bank of New South Wales*, 24 Victorian L.R., p 694.

"We are quite conscious (says Mr. Justice Williams) "that in later cases the House of Lords has not apparently applied the same rule; but while decisions of the House of Lords are justly entitled to our highest respect, they are not binding on us. Those of the Privy Council are." "Of course" (says Mr. Justice Holroyd), "if the Privy Council should alter its opinion, we should have to alter our practice in the same way, but until that happens we have to follow our own practice, and not to follow the opinion of the House of Lords."

In June, 1902, a conference met in London to discuss measures looking to the strengthening of the Final Court of Appeal for the colonies. At the request of Mr. Chamberlain, the various colonial governments appointed delegates for that purpose. A suggestion had apparently been made that four additional Law Lords should be created, with seats in the House of Lords as well as on the Judicial Committee, these to be chosen by the self-governing colonies. This proposition, to which there are very strong objections, did not commend itself to the Canadian Government, which expressed itself as not dissatisfied with the manner in which the Judicial Committee is at present constituted, and also stated that in their opinion the 'creation of the four Colonial Law Lords suggested would not inspire any additional confidence in the Judicial Committee." As a result of the conference, the majority of the delegates made the following recommendations:—That appeals continue to lie to the King in Council; that appointments to the Judicial Committee should be made from time to time from the colonies, both crown and self-governing, the appointees to vacate any judicial office which they might hold at the time of their appointment to the Judicial Committee; the selection not to be restricted to Judges and ex-Judges; the appointment to be for life or for a term of years, with provision for suitable salaries and pensions. The New Zealand representative (Sir James Pendergast) did not concur in the recommendation as to the colonial appointments, being unable to find "sufficient reason for any colonial