

a quorum. These Privy Councillors are clothed as ordinary English gentlemen without official garb of any kind, although counsel appearing before them must wear the black gown, silk or stuff according as he is or is not a King's counsel, bands of white lawn and wig of horse hair. In Ontario we wear all these except the wig, but I found that one becomes accustomed to the wig very quickly and very easily. I presume it strikes the Englishman with the same sense of incongruity when he enters our courts and sees judges and counsel with gown and white bands but without wig as it does an Ontarian when he sees certain American judges sitting in court with a gown, but also with a black necktie.

"Being a Committee and not a court, the decision a report, no dissent is expressed—one of the Committee gives the opinion of the Committee and no one knows in any case how the members of the Committee were divided or if they were divided. While the House of Lords is bound by its own judgments, such is not the case with the Judicial Committee, the Committee may and sometimes does decline to follow the law as laid down in previous cases. Their Lordships consider themselves at liberty and, indeed, bound to examine the reasons upon which a previous decision was arrived at, and if they find themselves forced to dissent from those reasons, to decide upon their own view of the law. I do not know that this has ever actually been done in questions of the law of property, but it has in matters affecting the forms of worship, etc., in the Church of England. For example, in the well-known case, *Read v. Bishop of Lincoln* (1892), A.C. 644, the previous decision in *Hebbert v. Purchas*, L.R. 3 P.C. 651, 23 years before, was not followed, as their Lordships found themselves unable to concur in the reasoning. It has, however, been said—even in a case involving property—by the Committee (upon a previous case before that Board being cited as an authority absolutely binding upon them) that it would have been their duty had the necessity arisen to consider for themselves whether the decision was one which they ought to follow (1891, A.C. at p. 282).