

that business. On the contrary, I am quite certain that all those who sit have a very strong sense of their responsibility. We have given the best we can. Whether it is good enough is another thing.'

"I would like to draw your attention to one or two interesting phases that came up in the discussion to which I have referred. I was, not long ago, interested in tracing myself the earlier decisions of the Judicial Committee after the reform brought about by Lord Brougham. I was surprised to find, as though by accident, one case in which the expression was made by the judge in delivering or reading the opinion that his brother so and so did not agree and giving the reasons of brother so and so and then referring to another dissenting opinion. Now such a thing as that is unheard of at the present day. It has been the rule for only one judge to read the reasons for judgment, and there is no suggestion as to whether there were differences before and whether any particular judge dissented; and the reason given at the conference was, which you all understand, no doubt, that it could not be done because this was a committee of the Privy Council, and, as they were advising the King, who had the right to accept or reject their advice, they were not at liberty to state who dissented from it.

"From 1836 on to 1878, you will find references to the differences of opinion. The delegates from New Zealand and Australia in the conference in London of 1911, argued that the present system was wrong (the non-giving of reasons for judgment); they wanted some security that there had been individual attention given to the arguments, and the security was that each judge should give his reasons for his decision.

"Then following the history of these conferences may I draw your attention to the fact that there was a conference of colonial judges in 1902 at the Colonial Office, who tried to solve this matter of the merger and that it resulted in failure. The subject was considered in 1907 again, and at that conference Sir Wilfrid Laurier, who was then Prime Minister, mentioned very tersely the points that had to be considered before that matter