

there shall remain an imperial final court of appeal: if so, shall it be the Judicial Committee as now constituted or a merger of that committee, so to speak, with the House of Lords, and if so what shall be the basis of the reorganization?

“I venture to put before you in connection with the consideration of this subject, points that will be so familiar that it almost seems as if I were carrying coals to Newcastle in directing your attention to them, but it would be well to observe the extraordinary history of this tribunal. I refer to the language of Lord Haldane at one of those conferences, when he put in almost the same words he used at the recent meeting of the American Bar Association in Montreal, very briefly, a history of the tribunal.

“On the question of treating the House of Lords as the one final Court of Appeal for the Over Seas Dominions, Lord Haldane said:—

“‘It is a little interesting to bear in memory the origin of this. Originally the King was the fountain of justice for the courts in this country as for the courts of the Empire, but just as the House of Commons filched finance from the rest of Parliament, so the House of Lords filched the judicial jurisdiction from the King and it is by that process of abstraction, which is now a tradition of many centuries, that the House of Lords is the Supreme Court. Naturally and properly, the King is the fountain of justice and the Privy Council is the original form.’

“In Pike’s Public Records (referring to appeals from the Channel Islands to the King in Council—the King of England originally being Duke of Normandy, the Channel Islands being King’s possessions beyond the seas—as to how the analogy as applied to colonial possessions was acquired) the following passage occurs:—

“‘There we see hoy the Imperial idea, of which so much has been heard of late, has been made to fit in with the tradition handed down from the time of William the Conqueror.’

“At the instance of Guernsey in 1580 the first order-in-