

granted to them in respect of having held such office as aforesaid, the sum of £400 (\$1,946.67) for every year during which they shall so attend as aforesaid, as an indemnity for the expense which they may thereby incur, and such sum of £400 shall be chargeable upon and paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland."

The Act is a parliamentary recommendation to the Crown to appoint Indian and colonial judges as members of the Judicial Committee; but so far as it authorized the appointment of colonial judges to the Judicial Committee, it has been a dead letter. The only appointments made by the Crown under the clause of the Act of 1833 cited above were of retired Chief Justices of the Indian courts, and in 1871 those were Sir James W. Colville and Sir Lawrence Peel, ex-Chief Justices of Calcutta, but we are not aware whether any of them received the pittance of £400 a year authorized by the Act as "an indemnity for the expense" of attending the sittings of the Judicial Committee.

In 1871 the Crown was authorized to appoint four additional judges to the Judicial Committee, but the Imperial Parliament limited the Crown's right of selection to judges of the English courts or retired Chief Justices of the Indian courts, and provided that the salary to be attached to the office should be £5000 sterling (\$24,333) a year, or just twelve and one-half times more than the salary of £400 allowed by the Act of 1833 to colonial judges.

One of the appointments under this Act caused a great scandal, and many high judicial functionaries wrote wrathful letters to the English press denouncing the appointment of the Attorney-General, Sir R. P. Collier, to the Judicial Committee, as an evasion of the provisions of the Act, and as a political trick to relieve the Government of an inefficient Attorney-General, and to make way for an abler man, Sir J. D. (now Lord) Coleridge. The statute limited the appointments to English judges, and Sir R. P. Collier was temporarily appointed to a judgeship in the Court of Common Pleas, which he immediately resigned, and was thereupon appointed to the Judicial Committee.

The Indian ex-Chief Justices appointed as paid judges under this Act were Sir James W. Colville (previous member), and Sir Barnes Peacock (recently deceased), who had been a retired Chief Justice of Calcutta, each of whom received the salary of £5000 a year authorized by the Act. We are not aware whether Sir Lawrence Peel, who was designated "Indian Assessor," became entitled to any salary. Sir Richard Couch, ex-Chief Justice of Bombay, and Lord Hobhouse, a former member of the Indian Viceroy's Council, were subsequently appointed and are now the representatives of the Indian courts on the Judicial Committee.

In 1876 a further change was made in the composition of the Judicial Committee by the "Appellate Jurisdiction Act, 1876," which provided that whenever any two of the paid judges of the Judicial Committee should die or resign, the Crown might appoint a third "Lord of Appeal in Ordinary," and that on the death or resignation of the remaining two paid judges of the Judicial Committee the Crown might appoint another "Lord of Appeal in Ordinary." The office entitled the judge to a life peerage, and a salary of £6,000 sterling (\$29,200) a year.