

Seventh Day.
26 April 1907.

IMPERIAL COURT
OF APPEAL
(The Lord
Chancellor.)

appeals as soon as they are ready, and whenever there is a sufficient number of them we sit and try them, perhaps five successive lists in the course of a year. We had a list which we heard in February and March, 1906. All that were ready were put down, and we heard and disposed of them all before we separated. We put down a second list in March and April. We finished every one of the cases. All those had become due since the beginning of March. In May we had another list, and we finished all the cases; and we also had a supplementary list of those cases which had become ready while we were sitting in the month of May. They were set down for hearing after the list of the May sittings had been closed, and one of them I think was heard. In June and July we proceeded with all the cases that were then ready, and heard them all except one Indian Appeal which stood over by order for a particular reason, and another Indian Appeal which stood over at the request of both sides. There were two Maritime Appeals which stood over by order with the consent of the parties, owing to special circumstances. We also heard an additional appeal which had been entered after we began sitting. In October to December we resumed our list, and finished all the cases except one appeal from British Guiana which stood over at the request of the parties. In addition to that, we heard three supplementary appeals which had been entered after we began sitting. In January and February of this year we sat and heard all the appeals, and we also in March heard four additional appeals which had been entered while we were sitting. The Privy Council is now sitting, and I expect that in the course of ten days or so we shall finish off every case that was ready when we began to sit, which was eight, or nine, or ten days ago. I do not think you will find any record of the way in which business is done which will beat us in regard to that. As regards the point of delay, I must say I think there is a good deal to be said for leaving it, as has been suggested in some of these different communications, to the Colonial Courts themselves to regulate all the procedures, and the time, and so forth until the case is brought and presented to the Privy Council. After that we shall be able to deal with it and dispose of it with the rapidity to which I have referred.

May I turn to the next resolutions, to which Dr. Jameson alluded, and which I think he said are to a considerable extent satisfied by what has been said. Perhaps I may go through them: "This Conference, recognising the importance to all parts of the Empire of the maintenance of the Appellate Jurisdiction of His Majesty the King in Council, desires to place upon record its opinion:—"(1) That in the interests of His Majesty's subjects "beyond the seas it is expedient that the practice and procedure of the "Right Honourable the Lords of the Judicial Committee of the Privy "Council be definitely laid down in the form of a code of rules and "regulations." The first point is that the practice and procedure should be definitely laid down in the form of a code of rules and regulations. That I think is a very good idea, and we think it is quite right, and we will consolidate and amend so as to conform as nearly as can be to modern circumstances and requirements, and with a view to facilitating and expediting the hearing of appeals. I am sure Dr. Jameson will remember that our difficulty is of a practical kind. When we consolidate and amend, if we are to send to every part of His Majesty's Dominions, that is an enormous thing to do. Answers come back perhaps not all agreeing, and then ensues correspondence. It is a herculean task, and takes a great time. But we will try to do it, treating it really as consolidation, and taking upon ourselves the responsibility. Really, after all, practice and procedure, while important, does not raise vital matters of principle, and if you will leave it to us we will send round to the different Colonies.

Dr. JAMESON: You might put in the words "as far as possible."