

An appeal lies to the Supreme Court of Canada from any final judgment of the Exchequer Court in which the amount in controversy exceeds \$500; an appeal also lies with leave of the Supreme Court in certain cases where the amount in controversy does not exceed \$500 or where the judgment is not final.

Provincial Judiciaries

Certain provisions of the British North America Act govern, to some extent, the provincial judiciaries. Under Section 92 (14), the legislature of each province may exclusively make laws in relation to the administration of justice in the province, including the constitution, maintenance and organization of provincial courts, both of civil and criminal jurisdiction. Section 96 provides that the Governor General in Council shall appoint the judges of the superior, district and county courts in each province, except those of the courts of probate in Nova Scotia and New Brunswick. Section 100 provides that the salaries, allowances and pensions of judges of the superior, district and county courts (except the courts of probate in Nova Scotia and New Brunswick) are to be fixed and provided by the Parliament of Canada and these are set out in the Judges Act (R.S.C. 1952, c.159, as amended). Under Section 99 of the British North America Act, 1867, the judges of the superior courts hold office during good behaviour but are removable by the Governor General on address of the Senate and House of Commons. By virtue of the B.N.A. Act, 1960, Judges of Superior Courts now cease to hold office upon attaining 75 years of age. The tenure of office of county court judges is fixed by the Judges Act as being during good behaviour, and their residence is required to be within the county or union of counties for which the court is generally established.

2. Provincial and Territorial Governments

In each of the provinces, the Queen is represented by a Lieutenant-Governor appointed by the Governor in Council. The Lieutenant-Governor acts on the advice and with the assistance of the provincial cabinet or executive council, which is responsible to the legislature and resigns office when it ceases to enjoy the confidence of that body.

The legislature of most provinces is unicameral, consisting of the lieutenant-governor and a legislative assembly. An exception exists in the case of the Province of Quebec, where there is an appointed Legislative Council as well as an elected Legislative Assembly. The Province of Prince Edward Island originally had a legislature consisting of two Houses, known as the Executive Council and the Legislative Council, but in 1893 the province combined both into a single Legislative Assembly. Some of the members of the Prince Edward Island Legislative Assembly are elected on the basis of a property franchise, and the remainder are elected on the basis of a broad popular franchise similar to that used in the election of members of the legislative assembly in other provinces.

The maximum duration of an elected legislative assembly was originally fixed by the British North America Act, 1867, at four years, but Ontario and Quebec have enacted legislation permitting a five-year maximum term in those provinces. A legislature may, alternatively, be dissolved by the lieutenant-governor of the province on the advice of the provincial premier, at any time within the maximum period.

The source of legislative authority of the provincial legislatures is the British North America Act, 1867 (30 Vict., c. 3 and amendments). Under Section 92 of the Act, the legislature of each province may make laws exclusively in relation to the following matters: amendments of the constitution of the province except as regards the lieutenant-governor; direct taxation within the province; borrowing of money on the credit of the province; establishment and tenure of provincial offices and appointment and payment of provincial officers; the management and sale of public lands belonging to the province and of the timber and wood thereon; the establishment, maintenance and management of public