

Our Judicial System, Element 1 200.

There is a distinct div of the exec depart into 2 branches administrative and judicial.

Every tribunal is in a sense subject to territorial limits of jurisdiction, even within the same state. Their jurisdiction may also be limited and defined by reason of the subject matter in litigation.

Every court may be called upon to determine and practically to administer Imp. Law, Dominion Law, Provincial Law, or even foreign law, in order to determine the rights of litigants.

The Imp. ptl may establish courts within the limits of any colony of Gt Br. In Can. we have Vice Admiralty Courts of Imp. creation, the period of which is defined by Imp. Stats. But they are limited to the enforcement of Imp. Law.

At Confeder. the administration of justice was in hands of provincial courts. Sec 129 of B.N.A. act expressly provides that "all laws and all courts of civil and criminal jurisdiction shall continue as if the Union had not been made."

Until altered by flow. legis their jurisdiction continues subject nevertheless to be altered by the

1869 act did not suppress Queen's prerogative to create a commission for holding a special court of high crimes, such as common property, and of land for

W. J. The judges of the Supreme Ct. In Manitoba - judges of Q. Bench In Quebec - " " Superior Ct In Ontario - " " Court of Appeal of H. C. J.

Every contested election in dominion is heard before a judge, an appeal may be taken to the divisional Ct to which these judges belong & thence to the Supreme Ct. The conclusions of the divisional Ct comes is reported to the speaker.

Case of Walton vs Langlois decided by the Supreme Ct.

Cases relating to jurisdiction of Cts - Queen vs. Omer (42 U.C.R. 4291)

held that B.N.A. act did not take away prerogative of crown to do any act which before it had power to exercise question - here was whether best gov. or gov. gen should issue warrant to judge of algoma to hold criminal jurisdiction. Decision held that best gov. could exercise power as well as gov. gen