

SUPREME COURT ACT.

the proceedings to remove such causes, and the proceedings therein after removal.

56. The said Supreme Court shall have, in the several Provinces of Ontario, Nova Scotia and New Brunswick, in causes at law and in equity, and in the Province of Quebec in civil causes concurrent and original jurisdiction with the Provincial Courts in the following cases:

1st. Where the plaintiff and defendant, or one of several plaintiffs and one of several defendants are domiciled in different Provinces of the Dominion.

2nd. Where either the plaintiff or defendant, or one or more of several plaintiffs, or one or more of several defendants, are domiciled without the Dominion.

57. The said Supreme Court and the Judges thereof shall also have exclusive original jurisdiction to issue the Writ of Habeas Corpus *ad subjiciendum* to bring up the body of any person in custody within the Dominion of Canada, in pursuance of any treaty with any foreign State or Government for the extradition of criminals, or in pursuance of any Act of the Parliament of Great Britain and Ireland, or of the late Province of Canada, or of the said Dominion, to carry out the provisions of any such treaty.

58. The said Supreme Court shall also have and possess exclusive jurisdiction in Admiralty in cases of contract and tort, and in proceedings *in rem*, and *personam*, arising on or in respect of the navigation of, and commerce upon the inland navigable waters of the Dominion, above tide water, and beyond the jurisdiction of any now existing Court of Vice-Admiralty.

59. For the purpose of exercising the original jurisdiction of the said Supreme Court, a special term of the said Court shall be held on the first Monday of April and October in each year, at the cities of Toronto, Quebec and Halifax, for the respective Provinces of Ontario, Quebec and Nova Scotia, and on the third Monday of April and October in each year at the city of Fredericton, for the Province of New Brunswick, and the said special term shall continue until the Saturday of the following week.

60. Two Judges of the said Court shall constitute a quorum at such special terms.

61. At the said special terms there shall be transacted the following business:

1st. Such proceedings in suits at common law as may be had before the Courts of common law at Westminster sitting in Banc.

2nd. The re-hearing of causes, petitions and motions in equity causes which may have already been heard before a single Judge.

3rd. The review of proceedings in Admiralty

causes which shall have previously been heard before a single Judge.

4th. In the Province of Quebec the review or the re-hearing of causes, petitions and motions which have already been heard and determined by a single Judge, and for the hearing and disposing of applications for new trials, and the disposal of such other matters as according to the code of procedure of the Province of Quebec may be disposed of by the Superior Court of the said Province sitting in Banc.

62. On the first Monday in March and September in each year a single Judge of the said Supreme Court shall hold a sittings at the said cities of Toronto, Quebec, Halifax and Fredericton, for the respective Provinces of which the said cities are the capitals, and at such sittings the following business may be transacted:

1st. The trial of all issues of facts in actions on the common law side of the said Court.

2nd. The disposition of matters of practice not cognizable by a Judge sitting in Chambers in actions at common law.

3rd. The hearing of causes in suits on the equity side of the said Court.

4th. The hearing of causes on the Admiralty side of the said Court.

5th. In the Province of Quebec the hearing and trial of causes and the transaction of all business which according to the provisions of the said code of procedure may be within the jurisdiction of a single Judge of the Superior Court, sitting in open Court.

63. A single Judge of the said Court may sit in Court out of Term, and may hear and determine causes and all interlocutory matters in Admiralty causes, and may hear and determine motions, petitions and all other interlocutory applications in equity suits.

64. All actions, suits and proceedings in the said Supreme Court, shall be carried to a termination in the Division of the Court for the Province in which the said actions, suits and proceedings shall be originally brought.

65. The rule of decision in all civil actions (excepting causes in Admiralty) which may be brought in the Province of Quebec, shall be the law of the said Province, and the proceedings in such suits shall be regulated by the Code of Procedure of the said Province.

66. The rule of decision in all actions at law, and suits in equity brought or instituted in the said Court, in any of the Provinces of Ontario, Nova Scotia and New Brunswick, shall be the law of England.

67. The procedure in actions at common law including suits relating to the Revenue, shall un-