

SUPREME COURT ACT.

lant, may, by leave of the Court, or a Judge, file a suggestion of the death, and that he is such legal representative, and the proceedings may thereupon be continued at the suit of, and against such legal representative as the appellant, and if no such suggestion be made, the respondent may proceed to an affirmance of the judgment, according to the practice of the Court, or take such other proceedings as he may be entitled to, and such suggestion, if untrue, may be set aside on motion by the said Court, or a Judge thereof.

46. In case of the death of one of several respondents, a suggestion may be filed of such death, and the proceedings may be continued against the surviving respondent, and such suggestion, if untrue, may be set aside on motion by the said Court, or a Judge thereof.

47. In the case of the death of a sole respondent, or of all the respondents, the appellant may proceed upon giving one month's notice of the appeal, and of his intention to continue the same, to the representative of the deceased party, or if no such notice can be given, then upon giving the notice to the parties interested, as a Judge of the said Supreme Court may direct.

48. The foregoing provisions respecting appeals shall apply as well to cases where the appeal shall be from any Court of Appeal in any of the said Provinces, as to cases where the appeal shall be brought directly from the Court of original jurisdiction.

49. In appeals in cases on the Admiralty side of the said Supreme Court no new allegations or evidence shall be admitted.

SPECIAL CASE ON CONSTITUTIONAL MATTERS.

50. The Governor General, by and with the advice and consent of the Privy Council may direct a special case to be laid before the Supreme Court sitting in general term, in which special case there may be set forth any Act passed by the Legislature of any Province of the Dominion of Canada, and thereupon there may be stated for the opinion of the said Supreme Court such questions as to the constitutionality of the said Act, or of any provision or provisions thereof, as the Governor General in Council may order.

51. The said Supreme Court shall, after hearing counsel for the Dominion of Canada, and for the Province whose Act shall be in question (if the respective Governments of the Dominion and the Province shall think fit to appear), and also after hearing counsel for such person or persons whose interests may be affected by the said Act, who may desire to be heard touching the questions submitted for the opinion of the said Court, and who shall have obtained leave to appear and be so heard on application to a Judge of the said

Court in Chambers, certify their opinions upon the said special case to the Governor General in Council.

ORIGINAL JURISDICTION.

52. Except as hereinafter provided, the said Supreme Court shall exercise no original jurisdiction whilst sitting in General Term.

53. The said Supreme Court shall have and possess exclusive original jurisdiction in the Dominion of Canada in all causes at law and equity in the Provinces of Ontario, Nova Scotia and New Brunswick, and in civil causes in the Province of Quebec as follows:

1st. In all cases in which the constitutionality of any Act of the Legislature of any Province of the Dominion shall come in question.

2nd. In all cases in which it shall be sought to enforce any law of the Dominion of Canada relating to the revenue, or in which any such law shall come in question, including actions, suits, and proceedings, by way of information, to enforce penalties and proceedings by way of information *in rem*.

3rd. In all cases in which the Crown, as representing the Government of Great Britain and Ireland, or the Government of any British colony, or the Government of any Province of the Dominion, shall be a party, plaintiff or defendant.

4th. This shall not be deemed to take away summary jurisdiction in revenue matters in any case in which the same may now be exercised by Justices of the Peace.

5th. In all cases in which any foreign State or Government shall be a party plaintiff.

6th. In all cases in which any Consul of a foreign State shall be a party.

7th. In all cases in which any law of the Dominion of Canada passed to carry out a treaty with a foreign Government shall come in question.

8th. In all cases in which any question shall arise under any Statute or Act of the Parliament of Canada hereafter to be passed, and by which exclusive original jurisdiction shall be conferred on the said Supreme Court.

54. In case in any action or suit brought or instituted in any Court of any of the said Provinces, it shall be found impossible to proceed for want of jurisdiction, in consequence of a question arising therein as to the constitutionality of any Act of the Legislature of any of the said Provinces, the said cause may be removed by *Certiorari* into the said Supreme Court, in which case proceedings therein shall be thereafter carried on as though such action or suit had been originally brought or instituted in the said last mentioned Court.

55. The Judges of the said Supreme Court shall make general rules and orders regulating