

C 37467

It is now settled subject to review by Supreme Court of Canada that the effect of justices of the peace and police magistrates relates to "the administration of justice" and rests therefore with the provinces. Arrowsmith's view of the Schedule in Reg. vs Bush, supporting this view and upheld by Mr Justice Street in his interpretation of Sec 92, ss 14

"Courts or judicial tribunals established under dominion legis. are entirely outside of the 'administration of justice in the Province'"

C 37468 52

The federal government of Canada does not advise Her Majesty on judicial questions. They do not deal with any case in the 1st instance. There is an appellate jurisdiction.

Act constituting Supreme Court of Canada said that its judgment should be final except in case where Her Majesty reserves by prerog. -- 4.

Johnston v. St Andrews Church. Insolvency Act made no reservation for prerog of crown. Insolvent case was taken on appeal to Privy Council (2 Appeal 120). In allowing Appeals the judicial committee will not consider points above but the legal questions involved.

See page before.

Subsec 28 Sec 91. Works which though within a province when completed become interprovincial in character e.g. Trent Valley Canal - Must be a work establishing a continuous commercial line, extending beyond a province. Tablet

W. L. Mackenzie King Papers
Volume C 46

PUBLIC ARCHIVES PUBLIQUES
CANADA