

THE SUPREME COURT OF CANADA.

may in cases within its original jurisdiction, sit in Court out of Term, and may hear and determine motions, petitions, and all other interlocutory applications in equity suits, and dispose of matters of practice not cognizable by a Judge sitting in chambers, in actions at common law.

55. The procedure in suits and actions within the original jurisdiction of the Court, shall, unless otherwise herein provided or until otherwise provided by general rules made in pursuance of this Act, be regulated by the present practice and procedure of Her Majesty's Court of Exchequer at Westminster.

56. Issues of fact, on the common law side of the Court, shall be tried according to the laws of the Province in which the cause of action arose.

57. The process of the Supreme Court shall run throughout the Dominion, shall be tested in the name of the Chief Justice and shall be directed to the Sheriff of the County, or other judicial division into which any of the said Provinces may be divided, in which such process is to be executed; and the Sheriffs of the said respective Counties or divisions shall be deemed and taken to be, ex-officio officers of the Court, and shall perform the duties and functions of Sheriffs in connection with the Court; and in any case where the Sheriff may be disqualified, process shall be directed to any Coroner of the County, or other judicial division.

58. [The Sheriffs and Coroners shall receive and take to their own use, such fees as the Judges of the Supreme Court shall, by general order, fix, and determine.]

59. For the trial of any issues of fact by a jury, a judge of the Supreme Court may order a writ of *venire facias* to be issued, directed to the Sheriff or Coroner, as the case may be, commanding him to summon a panel of thirty-six jurors according to the jury laws of the Province where the issues are to be tried, to attend at the time and place in such writ named, and the Sheriff or Coroner shall execute and return the said writ as directed thereby.

GENERAL PROVISIONS.

60. There shall be a Registrar of the Supreme Court, who shall reside and keep his office at the City of Ottawa.

61. [The Registrar shall be appointed by an instrument under the Great Seal of Canada and shall hold office during pleasure, and shall be paid a salary at the rate of _____ dollars per annum.]

62. [All fees payable to the Registrar under the provisions of this Act shall be paid by means of stamps, which shall be issued for that purpose by the Minister of Inland Revenue, who shall regulate the sale thereof, and the proceeds of the sale of such stamps shall be paid to the Receiver General, and form part of the Consolidated Revenue Fund of Canada.]

63. The Judges of the Court may appoint

such persons as they may think fit, being barristers-at-law or advocates, of not less than three years' standing, to be masters, referees, and examiners in suits in equity depending in the Court, to whom reference may be ordered, and who may take evidence in causes in equity depending therein.

64. [The said masters, referees, and examiners shall receive and take to their own use such fees as the Court may, by general orders direct.]

65. A fit and proper person, being a Barrister or Advocate of at least five years' standing, may be appointed by the Governor, to hold office during pleasure, as the Reporter of the Court, who shall, subject to the direction of the Judges of the Court, report the decisions thereof, and publish such reports [and such reporter shall be paid a salary at the rate of _____ dollars per annum, out of the Consolidated Revenue Fund of Canada.]

66. All persons authorized to take affidavits in any of the Superior Courts of any Province in Canada, may take affidavits in such Province, to be used in the Supreme Court.

67. All persons being barristers or advocates in any of the said provinces, shall be admitted by the Supreme Court sitting in term, to practice as barristers and counsel at the bar of the Court, and before the Judges thereof, upon [paying such fees as the Court shall, by its general rules or orders, fix and determine], and, upon signing a roll, to be kept in the custody of the Registrar of the Court, amongst the records thereof, to be called "The Barristers' Roll."

68. All persons being attorneys, solicitors, or proctors, in the Superior Courts of any of the said Provinces, shall be admitted to practice as attorneys, solicitors, and proctors in the Supreme Court, upon taking such oath, [and paying such fees], as shall, by the Court, be prescribed and fixed, and upon signing a roll, to be kept in the custody of the Registrar of the Court amongst the records thereof, to be called "The Roll of Attorneys and Solicitors."

69. The Judges of the Supreme Court, or any five or more of them, of whom the Chief Justice shall be one, may from time to time, make general rules and orders for regulating, as well the original as the appellate procedure of the Court, and for the effectual execution of this Act, and of the intention and object thereof, and for fixing the fees and costs to be taxed, and allowed to, and received and taken by, the practitioners and officers of the Court, and may, from time to time, alter, and amend any of such rules or orders, and make other rules or orders instead thereof.

70. The foregoing enactments of this Act shall come into force respectively, upon a day or days to be named by the Governor, in a Proclamation or Proclamations to be issued for that purpose; provided that the same day or different days may be named in any such Proclamation for the coming into force of these