

THE SENATE OF CANADA

BILL B.

An Act to amend the Exchequer Court Act.

R.S., c. 34;
1928, c. 23;
1930, c. 17;
1932-33, c. 13;
1938, c. 28;
1943-44, c. 25;
1944-45, c. 3;
1946, c. 22;
1947, c. 33;
1947-48, c. 66.

Exclusive
original
jurisdiction
of the Court.

Appeals to
Supreme
Court of
Canada.

Notice
of appeal
and deposit
of security.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Section eighteen of the *Exchequer Court Act*, chapter thirty-four of the Revised Statutes of Canada, 1927, is repealed and the following substituted therefor: 5

"18. The Exchequer Court shall have exclusive original jurisdiction in all cases in which the land, goods or money of the subject are in the possession of the Crown, or in which the claim arises out of a contract entered into by or on behalf of the Crown." 10

2. Subsections one and two of section eighty-two of the said Act are repealed and the following substituted therefor:

"82. (1) An appeal to the Supreme Court of Canada lies 15

(a) from a final judgment or a judgment upon a demurrer or point of law raised by the pleadings, and

(b) with leave of a judge of the Supreme Court of Canada, from an interlocutory judgment,

pronounced by the Exchequer Court in an action, suit, cause, matter or other judicial proceeding, in which the actual amount in controversy exceeds five hundred dollars. 20

(2) An appeal under this section shall be brought by serving a notice of appeal on all parties directly affected and by depositing with the Registrar of the Supreme Court of Canada the sum of fifty dollars by way of security for costs; the notice of appeal with evidence of service thereof shall be filed with the Registrar of the Supreme Court of Canada and a copy of the notice shall be filed with the Registrar of the Exchequer Court. 25 30