

The judgment of the Supreme Court of Canada in all cases is final and conclusive.

Exchequer Court of Canada

The Exchequer Court of Canada was first established in 1875 as part of the supreme Court of Canada but is now a separate court governed by the Exchequer Court Act (R.S.C. 1952, c.98). The Court consists of a president and four puisne judges who are appointed by the Governor in Council. The president and the puisne judges hold office during good behaviour but may be removed by the Governor General on address of the Senate and the House of Commons. They cease to hold office upon attaining the age of 75 years. The Court sits in Ottawa and also at any other place in Canada for which sittings may be fixed by the Court. The jurisdiction of the Court extends to cases where claims are made by or against the Crown in right of Canada. Proceedings against the Crown are taken by petition of right pursuant to the Petition of right Act (R.S.C. 1952, c.210). The Exchequer Court also exercises admiralty jurisdiction in Canada.

An appeal lies to the Supreme Court of Canada from any final judgment of the Exchequer Court in which the amount in controversy exceeds \$500; an appeal also lies with leave of the Supreme Court in certain cases where the amount in controversy does not exceed \$500 or where the judgment is not final.

Provincial Judiciaries

Certain provisions of the British North America Act govern, to some extent, the provincial judiciaries. Under Sect. 92 (14) the legislature of each province may exclusively make laws in relation to the administration of justice in the province including the constitution, maintenance and organization of provincial courts, both of civil and criminal jurisdiction. Sect. 96 provides that the Governor General in Council shall appoint the judges of the superior, district and county courts in each province, except those of the courts of probate in Nova Scotia and New Brunswick. Sect. 100 provides that the salaries, allowances and pensions of judges of the superior, district and county courts (except the courts of probate in Nova Scotia and New Brunswick) are to be fixed and provided by the Parliament of Canada and these are set out in the Judges Act (R.S.C. 1952, c.157). Under Sect. 99 the judges of the superior courts hold office during good behaviour but are removable by the Governor General on address of the Senate and House of Commons. The tenure of office of district and county court judges is fixed by the Judges Act as being during good behaviour and their residence within the county or union of countries for which the court is established.

2. Provincial and Territorial Governments

In each of the provinces, the Queen is represented by a Lieutenant-Governor appointed by the Governor General in Council. The Lieutenant-Governor acts on the advice and with the assistance of his Ministry or Executive Council, which is responsible to the Legislature and resigns office when it ceases to enjoy the confidence of that body.