

R. S. [1906] c. 139.

AN ACT RESPECTING THE SUPREME COURT OF CANADA.

SHORT TITLE.

1. This Act may be cited as the Supreme Court Act. R. S. c. 135, s. 1.

INTERPRETATION.

2. In this Act, unless the context otherwise requires,—

(a) 'the Supreme Court' or 'the court' means the Supreme Court of Canada.

(b) 'judge' means a judge of the Supreme Court of Canada and includes the Chief Justice;

(c) 'Registrar' means the Registrar of the Supreme Court;

(d) 'judgment,' when used with reference to the court appealed from, includes any judgment, rule, order, decision, decree, decretal order or sentence thereof; and when used with reference to the Supreme Court includes any judgment or order of that court;

(e) 'final judgment' means any judgment, rule, order or decision, whereby the action, suit, cause, matter or other judicial proceeding, is finally determined and concluded;

(f) 'appeal' includes any proceeding to set aside or vary any judgment of the court appealed from;

(g) 'the court appealed from' means the court from which the appeal is brought directly to the Supreme Court, whether such court is one of original jurisdiction or a court of appeal;

(h) 'witness' means any person, whether a party or not, to be examined under the provisions of this Act. R. S. C. c. 135, ss. 2 and 96.

(b) The definition of judge is new.

(c) This is new.

(d) If there is a formal judgment of the court appealed from dismissing an appeal thereto the Supreme Court cannot go behind it and consider the effect of the refusal of two of the four judges constituting the court to take part in it. *Booth v. Ratté*, 21 S. C. R. 637.

An adjudication by the Ontario Court of Appeal that an attorney is guilty of contempt is an appealable judgment though no sentence is pronounced. *In re O'Brien*, 16 S. C. R. 197.