

And is this principle not acted on throughout this portion of the Bill? We shall see.

No. 2. In all cases in which it shall be sought to enforce any law of the Dominion of Canada relating to the revenue.

This would seem to come within the power of Parliament, because it relates "to the Laws of Canada." But it practically and substantially sweeps away the Exchequer jurisdiction of the Supreme Court.

No. 3. In all cases in which the Crown, as representing the Government of Great Britain and Ireland, or the Government of any British Colony, or the Government of any Province of the Dominion, shall be a party, plaintiff or defendant.

This also denudes the Supreme Court of a large jurisdiction; and does it not affect "civil rights" and "the administration of justice, &c.?" If it is the right of Provincialists now to sue or be sued in such cases in local Courts—and have they not such a right—is it not a civil right? If so, where does the Dominion Parliament get authority to interfere with it?

The number of cases to which it may be presumed this paragraph will apply are many, including all bonds given to, or contracts entered into with the Government; all matters affecting the Crown Lands, Mining Leases, &c. &c.; all recognizances with which the Supreme Court has now special statutory power to deal under 33 Hen. 8, c. 39, as long since decided in this Province and constantly acted on.

No. 5. In all cases in which any Foreign State or Government shall be a party plaintiff.

It is not likely that many cases of this kind will arise. But the same objections present themselves.

No. 6. In all cases in which any Consul of a Foreign State shall be a party.

The same objections here apply. As matters are in this Province, may it not be fairly asked, why should parties, because they happen to hold the office of Consul, be limited to this new Court, or parties having dealings with them to any extent, however trifling or large, be prevented from asserting their legal civil rights, and from seeking redress in the ordinary and regular tribunals of the country?

In this Province there are, I think, some eight Consuls of Foreign States, besides a number of Consular Agents, all of whom, if I am rightly informed, except one, are permanent residents of the Province, and British subjects, and most, if not all of them, actively engaged in large mercantile and other business operations.

If it is intended to confine "all cases" to suits brought by or against them for acts done in their official capacity, is it so expressed? Is not the plain wording of the section and its grammatical construction, to the contrary; and if so, why should they, or those dealing with them in the ordinary business transactions of life, be placed in a better or worse position than their neighbors and fellow subjects?

No. 7 would seem to be strictly within the power of Parliament.

No. 8. In all cases in which any question shall arise under any Statute or Act of the Parliament of Canada hereafter to be passed, and by which exclusive original jurisdiction shall be conferred on the said Supreme Court.

Under this section, are not conflicts of jurisdiction almost unavoidable?