

court's decisions can be carried to England except by leave of the Judicial Committee of the Privy Council. Leave to appeal is sought by petition addressed to His Majesty the king in council. Such petitions must be accompanied by duly authenticated documents embodying the judgments of the Supreme Court which is appealed from, and the facts in the case. Leave to appeal is not as a rule granted unless the amount at issue is considerable, or some important principle is involved. Admiralty cases coming from the Supreme Court by way of appeal from the Court of Exchequer may in turn be appealed to the Judicial Committee of the Privy Council, without specific permission from that tribunal.

Important questions of law or fact touching any matter may be referred by the governor in council to the Supreme Court for hearing and consideration, and the opinion of the court upon any such reference, although advisory only, is, for all purposes of appeal to His Majesty in council, treated as a final judgment of the court between parties.

The Senate and House of Commons may also refer to the Supreme Court, or to any two judges thereof, for examination and report, questions relating to private bill legislation in either house. Advantage is, however, seldom taken of this provision.

The act constituting and establishing the Supreme Court (38 Vict. cap. 2) was, by proclamation dated September 17, 1875, declared to be in force from and after September 18, 1875, as regards the appointments of judges and officers of the court, the organization thereof, and the making of general rules and orders. The other provisions of this act and the judicial functions of the Supreme Court were by proclamation, dated January 10, 1876, made operative from January 11, 1876.

#### THE EXCHEQUER COURT

The act of the parliament of Canada (38 Vict. cap. 2) establishing a Supreme Court likewise created the Court of Exchequer. It enacted that

the Exchequer Court shall have and possess concurrent original jurisdiction in the Dominion of Canada, in all