

1914

c 55 Dominion Courts Act

Ontario

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2. DOMINION COURTS OF CANADA.

CHAPTER 55.

An Act respecting the Supreme Court of Canada and the Exchequer Court of Canada.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- Short title. 1. This Act may be cited as *The Dominion Courts Act*.
10 Edw. VII. c. 25, s. 1.
- Jurisdiction of Courts.
R. S. C. cc. 139, 140.
Controversies between Canada and Ontario.
Controversies between Ontario and certain other Provinces.
Cases involving the validity of Acts of Canada or Ontario.
2. The Supreme Court of Canada, and the Exchequer Court of Canada, or the Supreme Court of Canada alone, according to the provisions of the Acts of the Parliament of Canada, known as *The Supreme Court Act* and *The Exchequer Court Act*, shall have jurisdiction in cases of:—
- (a) Controversies between the Dominion of Canada and Ontario;
- (b) Controversies between any other Province of the Dominion which may have passed an Act similar to this Act and Ontario;
- (c) Actions, or proceedings, in which the parties thereto by their pleadings have raised the question of the validity of an Act of the Parliament of Canada, or of an Act of the Legislature of Ontario, when in the opinion of a Judge of the Court in which the same are pending such question is material; and in such case the Judge shall, at the request of the parties, and may without such request, if he thinks fit, order the case to be removed to the Supreme Court of Canada, in order to the decision of such question. 10 Edw. VII. c. 25, s. 2.
- When appeal lies. 3. In any action respecting property or civil rights, whether for damages or for specific relief, the judgment of the Appellate Division shall be final except
- Title to real estate. (a) Where the title to real estate or some interest therein is in question;

- (b) Where the validity of a patent is affected; Patent.
- (c) Where the matter in controversy in the appeal exceeds the sum or value of \$1,000, exclusive of costs; ^{Sum over \$1,000.}
- (d) Where the matter in question relates to the taking of an annual or other rent, customary or other duty or fee, or a like demand of a general or public nature affecting future rights; ^{Annual rent, etc., etc.}
- (e) Where the special leave of the Appellate Division or the Supreme Court of Canada to appeal to such last mentioned Court is granted. 10 Edw. VII. c. 25, s. 3. ^{By leave.}

4. In case sittings of any Court of the Dominion of Canada, or of any judge thereof, are appointed to be held in any city, town, or place in which a Court House is situate, such Court or Judge shall have, in all respects, the same authority as a Judge of the High Court Division in regard to the use of the Court House and other buildings or apartments set apart in the county for the administration of justice. 10 Edw. VII. c. 25, s. 4. ^{Authority of Judges of Dominion Courts as to use of Court House, etc.}