

Miscellaneous Courts.—*Railway Act.*—The Railway Act (R.S.C. 1927, c. 170) established the Board of Railway Commissioners for Canada as a court of record; by the Transport Act, 1938 (2 Geo. VI, c. 53), the name was changed to the Board of Transport Commissioners for Canada. This Court exercises jurisdiction with respect to railway matters. The Governor in Council is given jurisdiction to vary any order of the Board and an appeal lies from the Board to the Supreme Court of Canada upon a question of jurisdiction or a question of law.

Bankruptcy Act.—By virtue of para. 21 of Sect. 91 of the British North America Act, Parliament has exclusive legislative jurisdiction in relation to bankruptcy and insolvency. By the Bankruptcy Act (13 Geo. VI, c. 7) the superior courts of the provinces are constituted bankruptcy courts; original jurisdiction is conferred upon the trial courts and appellate jurisdiction is conferred upon the appeal courts of the provinces.

Farmers' Creditors Arrangement Act.—Under the Farmers' Creditors Arrangement Act, 1943 (7 and 8 Geo. VI, c. 26), the county or district courts of the provinces are established as courts for the purposes of this Act and the appeal courts of the provinces are given appellate jurisdiction.

Income Tax Appeal Board.—By the Income Tax Act (11-12 Geo. VI, c. 52) an Appeal Board is established, consisting of a chairman and not less than two or more than four members, with jurisdiction over appeals against income tax assessments. A further appeal may be taken to the Exchequer Court.

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, 1946 (10 Geo. VI, c. 56). 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 Sect. 33 of the Judges Act, 1946, as being during good behaviour and their residence within the county or union of counties for which the court is established.

Further details of provincial judiciaries are given in the 1951 Year Book, pp. 76-82.

Section 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.