

4. That on the return of the said writ of *certiorari*, the Honourable Mr. Justice Crease, one of the Judges of the Supreme Court of British Columbia, quashed the conviction, on the grounds, *inter alia*, that the said "Chinese Regulation Act, 1884," was *ultra vires* the Legislative Assembly of the Province of British Columbia.

The reasons given by His Lordship are more fully set out in his judgment, a transcript of which is hereunto annexed.

5. The order quashing the said conviction was not drawn up or served by the respondent until the 13th day of January, A. D. 1885.

6. Your petitioner is advised, and verily believes, that there is no appeal from the decision of the said the Hon. Mr. Justice Crease to the Supreme Court of British Columbia, sitting as a Full Court.

7. That although the amount of the fine imposed by the conviction is small, the question in issue is of great public importance, involving, as it does, the power of the Provincial Legislature, under the "British North America Act 1867," to discriminate in the imposition of direct taxation for purposes of Provincial revenue and police.

8. The proceedings against the respondent, and this appeal, have been undertaken by your petitioner at the instance and by direction of the Government of the Province of British Columbia.

9. That a transcript of all the proceedings in this matter is herewith transmitted to Your Majesty in Council.

Your petitioner, therefore, most humbly prays: That Your Majesty in Council will be pleased to order that your petitioner shall have special leave to appeal from the said order of the Hon. Mr. Justice Crease, of the 21st August, 1885,

And that Your Majesty will be pleased to take his said appeal into Your Majesty's most gracious consideration, and to grant him Your Majesty's Order of Summons upon the said respondent to appear and put in his answer thereto, and that service of the said Order of Summons upon the agent of the said respondent may be deemed good service, and that the said order of the Hon. Mr. Justice Crease of the 21st August, 1885, may be reversed, or that your petitioner may have such further and other relief as to your wisdom shall seem meet.

And your petitioner will ever pray.

Dated the 19th day of January, A. D. 1886.

W. K. BULL.

ALEX. E. B. DAVIE,

*H. M. Attorney-General for British Columbia.*