

General. It has occurred to me that the Bill No. 135, above referred to, has been enacted so as to found an argument before the High Court that the said Act gives the Court power to relieve against penalties to which the Dominion Government are entitled to one-half. If such be the case, the Ontario Legislature is seeking to legislate the Dominion Government out of a source of its revenue. It occurs to me that this is *ultra vires* of the Local House, and I call your attention to the fact, with the view of your considering the question as to whether the provision should not be disallowed by your Government.

I have, &c.,

(Signed)

WARREN TOTTEN.

The Honorable the Minister of Justice.

*Lieutenant Governor to Secretary of State.*

GOVERNMENT HOUSE, TORONTO, 7th May, 1886.

SIR,—Adverting to your despatch of the 8th ultimo (C. S. O. 3359) enclosing a copy of a communication received from Mr. Warren Totten, of the town of Woodstock, calling attention to Section 59, sub-Section *b* of Bill 135, introduced by the Honorable the Attorney General and passed at the recent Session of the Ontario Legislature, I have the honor to state that I have been advised that the enactment to which Mr. Totten objects is Section 6 of Chapter 16 of 49 Victoria "for further improving the Law" as passed; that like all other Provincial enactments this provision necessarily applies only to matters within the jurisdiction of a Provincial Legislature and Government, nor was it intended to have any operation in regard to any others; that the Commissioners now engaged in revising the Statutes of this Province, seven of whom are Judges, have, in consolidating, decided on striking these words out wherever they occur, the same being unnecessary and, therefore, in their opinion, not proper to be retained.

I have, &c.,

(Signed)

J. B. ROBINSON,

*Lieutenant Governor of Ontario.*

The Honorable  
The Secretary of State, Ottawa.

*General Report of the Honorable the Minister of Justice.*

DEPARTMENT OF JUSTICE, OTTAWA, 10th March, 1887.

To His Excellency the Governor General in Council:—

The undersigned has the honor to report that he has had under consideration the Acts passed by the Legislature of the Province of Ontario in the Session held in the year 1886, the titles of which are given in the annexed schedule.

No objection has been taken to any of the Acts referred to, except in one provision of Chapter 16, intituled: "An Act for further improving the Law," this objection is made by Mr. Totten, of Woodstock, in a communication dated the 26th of March, 1886, of which the following is a copy:—

"I beg to call your attention to Section 59, sub Section *b*, of Bill No. 135, intituled: 'An Act for further amending the Law,' introduced by the Attorney General and passed by the recent sittings of the Ontario Legislature, which assumes to give power to the High Court to relieve against all penalties. There are proceedings being had in this county against a Police Magistrate for not returning twenty