

established practice of this Court to decline to answer contingently questions involving problems which, in the ultimate working out of the action, may not present themselves for solution.

The Court is not bound to answer every question which parties litigant may see fit to put: *Viscount Barrington v. Liddell*, 2 DeG. M. & G. 480, 506. The undoubted right of the Court to decline to express "speculative opinions on hypothetical questions," or hypothetical opinions upon questions a categorical answer to which can only be given when certain facts not admitted have been established by evidence, finds in the 5th question of the present special case a subject which compels its exercise.

For these reasons I feel obliged to abstain from answering this question.

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