October to print the annual reports of the Departments, and at the same time to furnish a number of copies sufficient for the use of both Houses of Parliament, in such case it would hardly be contended that the Plaintiff nevertheless would be entitled to make a charge against the Joint Committee for composition. The Plaintiff contends that when he entered into the contract of the 1st of October, that he had reason to believe that he would be entitled to charge against the Department what he now seeks to recover. If such was the understanding, it should have been embodied in the contract. The probability is that if such a provision had been suggested as one for giving compensation, if any Department dispensed with the printing of documents to be laid before the Parliament, the Plaintiff would have been told that such a provision was inadmissable; in other words, that he could not be paid for work he was not required to perform, and did not execute.

On the whole case, I am of opinion that the Plaintiff is not entitled to charge or recover against the Defendant under the contract of the 1st of October, 1869, for the composition or printing of Departmental Reports laid before Parliament, and ordered to be printed by the Clerk of the Joint Committee on Printing for both Houses of Parliament, and for the use of the Departments; and that judgment be entered for the Defendant.

No objection was taken to the Plaintiff's right to maintain such an action under any circumstances against the Post Master General upon the contract of the 1st October. We express no opinion upon the point. Though a special case, we ought not to be asked to answer a question unless it relates to matter for which an action would be, or when the question itself could not be raised upon proper pleadings. Upon considering this case, it rather presented itself as one where the Court was asked to give advice, rather than to act judicially; or, as said by Martin B—, in Major *vs.* the Albion M. I. Company, L. R. 2 Eq. 346, "in reality to decide upon an imaginary cause of action." We make these remarks so that this decision may not be referred to as an authority or precedent for any like proceeding. I refer to the cases of Duntz *vs* Duntz, 6 C. B. 100, and Lord Wellesly *vs.* Withers 4 E. and B. 759.