

bar to all the points made on the part of the defendant. The latter section provides—that the rules, regulations, &c., touching the matters contained in the 43d sec., in force at the passing of that Act, should remain in force until the same should be rescinded, repealed, or altered by the said Council,—and the regulations made by the magistrates in relation to Bakers being produced, and no evidence having been offered of any By-laws having been made by the Council on this subject, the authority of the former still remained unimpugned and unsuperseded, thereby leaving the only point to be determined in this case, to be—whether, upon the expiration of the temporary Act 55, G. 3, c. 5, and the other continuing and like temporary Acts, the Ord. 17, G. 3. cap. 10, revived and became law;—and that for this solitary point, the simple fact of that Ordinance being found in a collection of Ordinances and Statutes recently published under the authority of the Government, was sufficient to warrant Justices of the Peace in presuming it to be the law of the land, leaving to the Defendant his recourse to a higher legal tribunal for redress.

The Court, adopting the view taken by the Counsel for the prosecution, of the law of the case, overruled all the objections, and ordered the parties to proceed to proof. (1).

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(1) This case has since been removed before the court of Q. B., by a writ of certiorari.

