

“ for provincial purposes.” If it should greatly exceed the
 “ cost of administration of justice, still it is to be raised and
 “ applied to general provincial purposes, and it is not more
 “ specially applicable for the administration of justice than
 “ any other part of the general provincial revenue.

“ Their lordships, therefore think that it cannot be justi-
 “ fied under the 14th sub-section.

“ With regard to the third argument, which was founded
 “ on the 65th section of the act, it was one not easy to fol-
 “ low, but their lordships are clearly of opinion that it
 “ cannot prevail. The 65th section preserves the pre-
 “ existing powers of the governors or lieutenant governors
 “ in council to do certain things not there specified. That,
 “ however, was subject to a power of abolition or alteration
 “ by the respective Legislatures of Ontario and Quebec,
 “ with the exception of course, of what depended on Impe-
 “ rial Legislation. Whatever powers of that kind existed,
 “ the act with which their lordships have to deal neither
 “ abolishes nor alters them. It does not refer to them in
 “ any matter whatever. It is said that, among those powers,
 “ there was a power, not taken away, to lay taxes of this
 “ very kind upon legal proceedings in the courts, not for
 “ the general revenue purposes of the province, but for the
 “ purpose of forming a special fund called : “ The Building
 “ and Jury Fund ” which was appropriated for purposes
 “ connected with the administration of justice. What has
 “ been done here is quite a different thing. It is not by the
 “ authority of the lieutenant governor in council. It is not
 “ in aid of the Building and Jury Fund. It is a Legislative
 “ Act without any reference whatever to those powers if
 “ they still exist quite collateral to them ; and if they still
 “ exist, and if it exists itself capable of being exercised con-
 “ currently with them ; to tax for the general purposes of
 “ the province, and in aid of the general revenue these
 “ legal proceedings.