

in the Magistrates' Court would be farcical. Burns, J.P., vol. 1, p. 844 (30th ed.), quoting 2 Hawk. c. 16, says: "It is said that wheresoever a justice of the peace is empowered by statute to bind a person over, or cause him to do so a certain thing and such person being in his presence, shall refuse to be bound or do such thing, the Justice may commit him to jail to remain there till he shall comply." However, in this case the magistrate has the power to commit a witness refusing to answer: sec. 161 N. S. L. L. A., and sec. 186, under which the applicant was committed, is in my opinion an enlargement of the power given under sec. 161. Holding these views I must refuse the application, without costs.

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