

# RETURN

To an Address of the Legislative Assembly, of this date, for a copy of the Despatch relating to Act No. 4 of last Session.

By Command.

GEO. A. WALKEM,  
*Attorney-General.*

*Attorney-General's Office.*

*3rd February, 1873.*

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*The Secretary of State to the Lieutenant-Governor.*

OTTAWA, 26th December, 1872.

SIR:

I have the honor to inform you that the Governor-General has had under his consideration in Council, an Act passed by the Legislature of the Province of British Columbia at its first Session, 35 Vic: No. 4., entitled "An Act to define the privileges, immunities, and powers of the Legislative Assembly, and to give summary protection to persons employed in the publication of Sessional papers."

His Excellency is advised that the Act in question is a transcript of the Act of the Province of Ontario, 32 Vic: Cap 3, 1868. The latter Act was referred to the Law Officers of the Crown in England, who gave it as their opinion, that it was not competent for the local Legislature to pass it, and that it was inconsistent with the provisions of Sections 92 and 96 of "The British North America Act 1867."

Under these circumstances the Act of the Ontario Legislature was disallowed by His Excellency's Proclamation.

I have therefore to request you to bring the Act in question, under the notice of your Executive Council, with a view to their considering the advisableness of repealing the Act during the second Session of the Legislature of British Columbia.

I have, &c.

(Signed)

JOSEPH HOWE.

*Secretary of State for the Provinces.*