

ferred upon them by the British North America Act. When my friend, Mr. Labatt, disparages my "bolt out of the blue" by calling it a mere "brutum fulmen," I can only say "Et tu quoque, Brute!"

A. H. F. LEFROY.

It is convenient that the above reply to Mr. Labatt's article and the rejoinder of the latter should appear together. The duel between these doughty champions is an interesting one, but press of other matter will prevent its further continuance. The rejoinder is as follows:

The editor of the CANADA LAW JOURNAL considers that the maxim, *Interest reipublice, ut sit finis litium*, is applicable to the discussion between Mr. Lefroy and myself, but has kindly shown me the manuscript of the above article, and given me permission to say something by way of rejoinder, on condition that I confine my remarks within a reasonably narrow compass.

I am not at all disposed to complain of the limitations of space thus imposed upon me, for my critic has, in my humble judgment, wholly failed to meet the main contention put forward by me, viz., that it is a solecism to predicate "possession" of that species of dominion or control which a legislature normally exercises over proprietary rights, whether these rights are vested in the Crown or in private persons, and that, supposing my views upon this point to be correct, Lord Herschel's use of the word in such a connection could not justifiably be made the basis of an argument that the Privy Council intended to enunciate a principle limiting, in this particular direction, the effect of its earlier rulings as to the plenary powers of the Canadian legislatures. In the lowly spirit which was befitting I requested Mr. Lefroy to sustain his theory by producing from the treasure-house of his constitutional lore, some authoritative precedent for the terminology to which I excepted, and the only answer I have received to my petition is some good-natured persiflage about my audacity in venturing to suggest that Lord Herschel does not understand English. I