

fulfilling its legal obligation to return their money to the bondholders, whose right to this return was a civil right which had arisen, and remained enforceable outside the province. The statute was on this ground beyond the powers of the legislature of Alberta, inasmuch as what was sought to be enacted was neither confined to property and civil rights within the province, nor directed solely to matters of merely local or private nature within it":

these concluding words referring to another provision of the British North America Act, 1867, which gives provincial legislatures jurisdiction over "generally all matters of a merely local or private nature in the province."

The Board, therefore, has held that the legislature of Alberta could not legislate away the civil right of the bondholders, or the Bank on their behalf, to resist in the Courts of Alberta an action brought by the provincial treasurer of Alberta in those Courts for refusal to pay on his demand the moneys standing to his credit in the Bank at Edmonton, because the civil right of the bondholders to receive back the money advanced by them arose out of Alberta, and was enforceable out of Alberta by action against the Bank in Quebec.

Now, I would like again to observe that the question is one purely of the construction of the exclusive power given to provincial legislatures over civil rights in their respective provinces, without any regard to any injustice or injury which may be perpetrated by those legislatures in its exercise; and I would like to interpolate two further remarks, the apparent egotism of which I trust will be pardoned. The first is, that there is no one who would regret more than I should do any modification of, or restriction on, the right of appeal from our Canadian Courts to the Judicial Committee of the Privy Council. I regard that right of appeal as one of the soundest and healthiest of the many sound and healthy institutions of this most favoured land; and the decisions of the Privy Council upon questions arising under our Constitution as having been of the greatest benefit to this country, and as forming a record of which any Court in the world might be proud.

The second thing I wish to say is, that I have carefully studied