

"By no process of argumentation can any jurisdiction in the matter be placed in the Dominion Parliament. If that be true, and all legislative authority over affairs in Canada is rested in some Legislature or Legislatures here, how can the claim of Alberta be disputed?"

The dilemma suggested by this query is obviously imperfect. If the situs of the trust-fund and the civil rights of the bondholders with regard to it were outside of Alberta, —and this was the state of facts which the Privy Council assumed for the purposes of its decision,—it does not at all follow, as Mr. Ewart assumes, that, because the authority to deal with the subject-matter was not vested in the Dominion Parliament, it must necessarily have been vested in the Alberta Legislature. It is strange that the learned critic should have failed to take notice of the obvious alternative, that, as the trust fund was deposited in the head office of the Royal Bank at Montreal, it was subject to the jurisdiction of the Quebec Legislature. If, therefore, a statute disposing of the fund in the same manner as the one under review had been enacted by that Legislature, its validity could not have been successfully impugned by the bondholders.

6. *Concluding remarks.* — From what I have said in the preceding section it is sufficiently apparent that I do not by any means agree with Mr. Ewart in his view that the decision in *Royal Bank of Canada v. Rex* has furnished another example of the incapacity of the Privy Council to deal with Canadian appeals. The reputation of that tribunal is not likely to suffer much damage from the attacks of a critic whose censures are of such a nature as to demonstrate that both the facts involved in the case and the grounds upon which the judgment proceeded have been misconceived by him.

The article which I have been discussing is one of a series which Mr. Ewart has written for the express purpose of discrediting the Judicial Committee. I have not had the privilege of perusing the whole of his other lucubrations; but, if the reasoning which he has employed in them is of the same quality as that which has been analysed above, it seems unlikely they will convince any considerable number of Canadian lawyers and business