

may sometimes be anything but "legitimate," in the ordinary sense of that word.

G. S. H. thinks "that the man in the street" can better grasp the question between us if he imagines a state of facts and circumstances entirely different to those before the court in *The Royal Bank v. The King*. However, let me just point out that in the imaginary case which he supposes, Mr. A. B.'s agent in Edmonton would be able to quite truly say that he had no money when the demand was made by the Provincial Treasurer, and what is more important, that he owed no debt; but the Royal Bank was not in a position to say that it owed no debt. Mr. A. B. himself also would be able to say that he owed no debt, because the land had not yet been conveyed or a deed tendered to him. If the land had been conveyed or a deed of it tendered to A. B., and A. B. was owing the money to the vendor, then the vendor in Alberta might have a civil right of action in Alberta against A. B.; and over that right of action, as I contend, the legislature of Alberta would have plenary power to take it from the vendor, and give it to the Provincial Treasurer, and that without any prejudice to the right and power of the vendor to recover his debt from A. B. in Ontario, if A. B. had assets in Ontario, and the vendor had a right of action against him in Ontario under the rules of procedure there prevailing. The Privy Council in no way deny that the lenders of the money in *Royal Bank v. The King* had a right of action in Alberta, but their judgment holds that because the lenders had also a right of action at Montreal arising out of the circumstances of the case, therefore, the Alberta legislature could not deal with their right of action, or in other words with their civil rights, in Alberta.

Lastly, G. S. H. says that I have not ventured to explain how the money in question could by any process known to constitutional law have been got out of the coffers of the Royal Bank in Montreal. I have not the least idea what this means, but undoubtedly the provincial treasurer of Alberta could recover the money from the Royal Bank, if he got judgment in the courts in Alberta, out of any assets which the Royal Bank might have in that province.

I am quite willing to let Mr. Labatt and G. S. H. have the last word; and I regret to have taken up so much of your space.

Yours, etc.,

A. H. F. LEFROY.

[We will give space to Mr. Labatt to reply to the learned gentlemen from whom he differs and that must close the discussion.—Ed. C.L.J.]