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in a strict legal sense, the Legislature was within its rights to take away anybody's property, living or dead. Another lawyer declared he knew of no precedent for the bill, and expressed the view that the Government would have been well advised to have taken the matter to the courts rather than adopting such an arbitrary procedure. Still another legal luminary laconically remarked that the Government must be hard up for money to resort to the extreme of making a new will for a deceased testator.

In respect to the claim of Legislative legal right to pass such escheatment legislation, the following comment, made by Justice Riddell in the Florence Mining Company and Cobalt Lake Company cases in 1908, is interesting.

"In short, the Legislature within its jurisdiction can do anything which is not naturally impossible, and is restrained by no rule, human or divine. If it be that the plaintiffs acquired any rights—which I am far from finding—the Legislature has the power to take them away. The prohibition, 'Thou shalt not steal,' has no legal force upon the sovereign body, and there would be no necessity for compensation to be given."

Representatives of several women's organizations last night evinced considerable interest in the action of the Government, but, for the most part, declined to express their views as to the policy implied in the new bill until they had given the matter greater attention.

Mrs. H. P. Plumptre, long a member of the Board of Education and representative in women's activities, explained that, as the will was something of a freak, the Government was justified in seizing such a large amount of money and using it for the public good.

"Unheard-of Action."

Hamilton, March 23. — Senator George Lynch-Staunton, K.C., today criticized as "an unheard-of action" the announcement made by the Attorney-General of Ontario that the half-million estate of the late Charles Millar of Toronto would be escheated and turned over to the University of Toronto. Senator Staunton stressed that such an action was unheard of until the courts had first ruled that the will was invalid, and it was shown that there were no legal heirs.

With no Constitution in Canada, the Legislature could take any property and confiscate or give one man's property to another. So far as property and civil rights were concerned, the Legislature assumed the right to do as it chose, he said. Humanly speaking, it was omnipotent. But in the United States, where there was a Constitution, the confiscation of property by the State was forbidden. The Supreme Court there would declare a nullity, he said, any act which undertook to do so.

There could not rightfully be an escheat, Senator Staunton held, unless there were no heirs or the will had been declared invalid. Under the law of an earlier day, the confiscation of property applied only in the cases of traitors or felons, and it was often a part of their punishment. It was also resorted to in religious inquisitions.

One case of escheat in Hamilton, which Senator Staunton recalled, was that concerning the estate of an escaped slave named Nelson Abel. He drove a stage coach between Hamilton and Dundas. He was an adopted son, but at his death his property escheated to the Crown and was accepted.