

UNIVERSITY OF LONDON W.C. 1
- 9 FEB 1954
INSTITUTE OF ADVANCED LEGAL STUDIES

In the Privy Council.

No. 27 of 1951.

ON APPEAL FROM THE SUPREME COURT
OF CANADA

33187

BETWEEN

THE ATTORNEY GENERAL OF THE PROVINCE OF
ALBERTA and THE MINISTER OF LANDS AND
MINES OF THE PROVINCE OF ALBERTA

(Defendants) APPELLANTS

AND

HUGGARD ASSETS LIMITED ... (Plaintiff) RESPONDENT

AND

THE ATTORNEY GENERAL OF CANADA,
THE ATTORNEY GENERAL OF SASKATCHEWAN
and THE ATTORNEY GENERAL OF MANITOBA INTERVENERS.

CASE FOR THE ATTORNEY GENERAL
OF CANADA

The Attorney-General of Canada desires to support the Appellants and to rely upon the matters and reasons set out in the Case of the Appellants. The Attorney-General of Canada submits that the trial judge should have dismissed the Respondent's action and have granted the declaration for which the Appellants asked in their counterclaim; that the Supreme Court rightly held that the reasons for his judgment in the Respondent's favour and for the judgment of the Appellate Division cannot be supported; and that the grounds upon which the majority in the Supreme Court of Canada supported the judgments below did not attach proper significance to the nature of the Crown rights involved, or to the statutory authority under which the land in question was granted.

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H. J. WILSON.
FRANK GAHAN.
W. Y. ARCHIBALD.

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AND
HUGGARD ASSETS LIMITED
(*Plaintiff*) RESPONDENT
AND
THE ATTORNEY GENERAL OF
CANADA, THE ATTORNEY
GENERAL OF SASKATCHEWAN
and THE ATTORNEY GENERAL
OF MANITOBA INTERVENERS.

CASE FOR THE ATTORNEY
GENERAL OF CANADA

LAWRENCE JONES & CO.,
Winchester House, E.C.2

Solicitors for the ATTORNEY
GENERAL OF CANADA.