

# In the Privy Council.

No. 25 of 1934.

## ON APPEAL FROM THE SUPREME COURT OF ALBERTA (APPELLATE DIVISION).

BETWEEN

CORA LILLIAN McPHERSON ... .. (Plaintiff) Appellant,

AND

ORAN LEO McPHERSON ... .. (Defendant) Respondent.

## APPENDIX TO RESPONDENT'S CASE.

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BETWEEN

CORA LILLIAN McPHERSON ... .. (*Plaintiff*) *Appellant*,

AND

ORAN LEO McPHERSON ... .. (*Defendant*) *Respondent*.

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## APPENDIX TO RESPONDENT'S CASE.

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No. 1.

APPENDIX.

### **Affidavit of Respondent on production with Endorsement of Service.**

I, Richard P. Wallace, Registrar of the Appellate Division of the Supreme Court of Alberta, hereby certify :—

That attached hereto is a true copy of the original affidavit on production filed by Messrs. Woods, Field, Craig & Hyndman on the 28th November, 1932, in action No. 34158 in the Supreme Court of Alberta, Judicial District of Edmonton of Cora Lillian McPherson *v.* Oran Leo McPherson.

10 Dated at Edmonton, Alberta, this 30th day of April, 1934.

(Seal)

“ RICHARD P. WALLACE,”

*Registrar Appellate Division.*

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In the Supreme Court of Alberta.  
Judicial District of Edmonton.

Between

Cora Lillian McPherson ... .. Plaintiff,  
and  
Oran Leo McPherson ... .. Defendant.

I, ORAN LEO McPHERSON, of the City of Edmonton, in the Province of Alberta, the above-named Defendant, make oath and say :

1. I have in my possession or power the documents relating to the 10 matters in question in this action, set forth in the First Schedule hereto.

2. I have had, but have not now in my possession or power the documents relating to the matters in question in this action, mentioned in the Second Schedule hereto.

3. The last-mentioned documents were last in my possession or power on or about the respective dates of their receipt by me, and they then passed out of my possession as therein indicated.

4. According to the best of my knowledge, information and belief, I have not now and never had in my possession, custody or power, or in the possession, custody or power of my solicitors or agents, solicitor or agent, 20 or in the possession, custody or power of any other persons or person on my behalf, any deed, account, book of account, voucher, receipt, letter, memorandum, paper or writing, or any copy of, or extract from any such document, or any other document whatsoever, relating to the matters in question in this action or any of them, or wherein any entry has been made relating to such matters, or any of them other than, and except, the documents set forth in the said First and Second Schedules hereto, and the pleadings and other proceedings in this action.

SWORN before me at Edmonton in the }  
Province of Alberta this 28th day } " O. L. McPHERSON." 30  
of November, A.D. 1932.

" R. T. WILLIAMS,"  
*A Commissioner etc.*

THE FIRST SCHEDULE.

THE FIRST PART THEREOF, showing documents in my possession which I do not object to produce :—

1. Letter from Plaintiff to Defendant, undated.
2. Letter from Plaintiff to Defendant, dated Sunday.
3. Letter from Plaintiff to Defendant, dated 12th July.
4. Letter from Plaintiff to Defendant, dated 20th September. 40
5. Letter from Plaintiff to Defendant, dated 22nd September.
6. Letter from Plaintiff to Defendant, dated 25th September.

7. Letter from Plaintiff to Defendant, dated 10th October.
8. Letter from Plaintiff to Defendant, dated Friday.
9. Letter from Plaintiff to Defendant, dated Wednesday.
10. Letter from Plaintiff to Defendant, dated Sunday.
11. Letter from Plaintiff to Defendant, undated.
12. Letter from Plaintiff to Defendant, dated 31st August, 1932.
13. Letter from Plaintiff to Ada, dated 4th November, 1931.
14. Letter from Plaintiff to Ada, dated 20th November, 1931.
15. Letter from Mrs. Ada E. Carroll to Hon. J. E. Brownlee, dated 4th  
10 December, 1931.
16. Letter from D. O. Carroll to Defendant, dated 18th August, 1932.
17. Letter Church & Jardine to Defendant, dated 19th August, 1932.
18. Letter Plaintiff to Coran, dated 21st August, 1932.
19. Letter Plaintiff to Coran, undated.
20. Letter Plaintiff to Iga, undated.
21. Letter Plaintiff to Iga (later), undated.
22. Letter Plaintiff to Defendant, undated.
23. Letter Plaintiff to Defendant, undated.
24. Letter Plaintiff to Defendant, undated.
- 20 25. Letter Plaintiff to Defendant, undated.
26. Letter Plaintiff to Defendant, undated.
27. Letter Plaintiff to Defendant, dated 23rd August, 1932.
28. Copy of Statement of Claim in the action of *McPherson v. McPherson*.
29. Copy of Plaintiff's affidavit used in support of application for service  
*ex juris* in said action.
30. Copy of order for service *ex juris*.
31. Copy of præcipe to note Defendant in default.
32. Copy of affidavit in support of præcipe to note Defendant in default.
33. Copy of Decree Nisi.
- 30 34. Copy of Notice of Motion for Decree Absolute.
35. Copy of affidavit of Plaintiff sent to King's Proctor.
36. Copy of Decree Absolute.
37. Copy of letter dated 18th March, 1931, Lymburn, Reid & Cobbedick  
to McCraney, Hutchison & Co., Saskatoon.
38. Letter dated 19th March, 1931, from McCraney, Hutchinson & Co. to  
Lymburn, Reid & Cobbedick.
39. Copy of telegram dated 24th March, 1931, Lymburn, Reid & Cobble-  
dick to McCraney, Hutchinson & Co.
- 40 40. Telegram dated 24th March, 1931, McCraney Hutchinson & Co. to  
Lymburn, Reid & Cobbedick.
41. Letter dated 23rd March, 1931, McCraney Hutchinson & Co. to Lym-  
burn, Reid & Cobbedick.
42. Copy of letter 25th March, 1931, Lymburn, Reid & Cobbedick to  
McCraney Hutchinson & Co.
43. Letter 26th March, 1931, McCraney & Co. to Lymburn, Reid & Co.
44. Letter 15th April, 1931, Lymburn, Reid & Co. to J. J. McKenzie,  
Saskatoon.
45. Copy letter 22nd April, 1931, Lymburn, Reid & Co., to O. L. Mc-  
Pherson.

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46. Copy letter 21st July, 1931, Lymburn, Reid & Co., to the King's Proctor.
47. Report L. A. Hammick dated 27th January, 1931.
48. Marriage License and Certificate of Marriage.
49. Certificate of Clerk of County Court, Washington County, Illinois, as to recording of the marriage.
50. Receipt of J. J. McKenzie dated 22nd April, 1932.

“ R. T. WILLIAMS.”

### THE SECOND SCHEDULE.

Showing documents which I have had but have not now in my possession 10 or power, the dates upon which the same were last in my possession and the way such documents were disposed of.

A number of letters from the Plaintiff which I have not kept.

“ R. T. WILLIAMS.”

“ Clerk of the Court, Edmonton, Alberta, Nov. 28th, 1932.”

“ Service of a true copy hereof admitted this 28th day of November, 1932, by G. H. Van Allen & Co., Counsel for Solicitors for Plaintiff.”

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### No. 2.

#### Extracts from Alberta Rules of Court.

“ 8. Except as otherwise provided all motions, applications and hearings 20 other than the trials of actions may be disposed of by a judge in chambers.”

\* \* \* \* \*

“ 128. All copies of a statement of claim which are served shall have at the foot or end thereof or endorsed thereon or attached thereto :—

“ (1) If the statement of claim is issued by a solicitor for the Plaintiff, a statement to that effect and the solicitor's name and address for service ; or if by a solicitor as agent for another solicitor, the solicitor's name and address and also the agent's name and address for service, and in either case the address for service shall be within three miles of the office of the clerk from which the statement of claim issues ; 30

“ (2) If the statement of claim is issued by the Plaintiff in person, a statement to that effect and the Plaintiff's address for service ;

“ (3) A statement of the Plaintiff's residence ;

“ (4) A statement of the Defendant's residence so far as known to the Plaintiff ;

“(5) A notice to the following effect :—

“ ‘ To the Defendant . . .

“ ‘ You are hereby notified that the Plaintiff may enter judgment in accordance with this statement of claim or such judgment as, according to the practice of the court, he is entitled to, without any further notice to you unless within (here insert the period of time prescribed by the Rules or by any order fixing the time for defence, in the latter case adding the following words :  
 “ Being the period prescribed by order dated the                      day of  
 10                      19                      ’ ) after service hereof upon you, excluding the day of service, you cause to be filed in the office of the Clerk of this court from which the statement of claim has issued, either :—

“ ‘ (1) A statement of defence ; or, except as regards any claim for a debt or a liquidated demand ;

“ ‘ (2) A demand that notice of any applications to be made in the action be given to you ;

and unless within the same time a copy of your statement of defence or demand be served upon the Plaintiff or his solicitor at his stated address for service.’ ”

20

\* \* \* \* \*

“ 157. If a sole Defendant has, or all the Defendants have, been noted in default, the Plaintiff may apply *ex parte* to a judge and the judge may with or without proof of the Plaintiff’s claim, as he shall see fit, make such order for final judgment or assessment of damages or otherwise as the Plaintiff is entitled to.”

\* \* \* \* \*

30

“ 159. Notwithstanding anything contained in the next preceding two Rules, no order for final judgment of nullity or dissolution of marriage shall be made, whether or not there is default of defence, until the judge is  
 30 satisfied of the truth and sufficiency of the facts on which the claim for such judgment is founded.”

\* \* \* \* \*

“ 161. In all actions in which a Defendant delivers a demand of notice the Plaintiff shall be entitled to proceed against him in the same manner as if he had not done so, except that he shall be entitled to notice of all motions against him subsequently made in the action, unless in any particular instance the court or judge before whom any such motion is made shall dispense with such notice.”

\* \* \* \* \*

40

“ 273. Unless the court or a judge so directs, non-compliance with the Rules shall not render any act or proceeding void, but the same shall be set aside either wholly or in part as irregular or amended or otherwise dealt with as to the court or judge may seem just.”

\* \* \* \* \*

“ 318. Except as otherwise provided an appeal shall lie to the court from the whole or any part of any judgment, order, direction or finding

APPENDIX.

of a judge or a local judge sitting in court or the verdict or finding of a jury or from the judgment, order or direction of a judge sitting in chambers.”

\* \* \* \* \*

“ 321. Notice of appeal shall be given within twenty days in the case of a judgment, after the formal judgment or order has been signed and entered ; in the case of an order, after the order has been signed and issued ; in the case of a direction, after the judgment or order founded thereon has been signed and entered or issued ; in the case of a finding or verdict, after the judgment or order founded thereon has been signed and entered or issued.”

10

\* \* \* \* \*

“ 393. In the absence of an agreement between the parties and subject to these Rules, the witnesses at the trial of an action or at an assessment of damages shall be examined *viva voce* and in open court, but the court or judge may at any time for sufficient reason order that any particular fact or facts may be proved by affidavit or that the affidavit of any witness may be read at the trial on such conditions as may seem just or that any witness, whose attendance for some sufficient cause ought to be dispensed with, be examined before an examiner ; but where the other party *bona fide* desires the production of a witness for cross-examination and such witness can be produced, an order shall not be made authorizing his evidence to be given by affidavit.”

\* \* \* \* \*

“ 713. The judges of the Supreme Court are hereby authorized to alter and amend any Rules of Court or tariffs of costs or fees for the time being in force, or make additional Rules or tariffs.”

No. 3.

Alberta Divorce Rules and Memorandum attached thereto with Forms of Decree Nisi and Decree Absolute.

I, Richard P. Wallace, Registrar of the Appellate Division of the 30 Supreme Court of Alberta, hereby certify :—

That attached hereto is a true copy of the Divorce Rules and Forms made and approved of by the Judges of the Supreme Court, under the authority of Rule 713 of the Consolidated Rules of the Supreme Court, on the third day of October, 1919.

That the said Divorce Rules and Forms came into effect on the third day of October, 1919, and were published in the Alberta Gazette on the 15th day of October, 1919.

Dated at Edmonton, Alberta, this 30th day of April, 1934.

“ RICHARD P. WALLACE,”  
Registrar Appellate Division.

40

(Seal)

The following Rules and Forms relating to proceedings for Divorce are hereby added to the Rules of Court : APPENDIX.

**DIVORCE RULES.**

1. All actions for dissolution or nullity of marriage shall be commenced by Statement of Claim.

2. The Statement of Claim in divorce actions shall be served in the same manner as Statements of Claim in other actions are served.

3. The only parties to the action shall be the husband and wife unless a judge shall otherwise direct.

10 4. The rules relating to examination for discovery in the General Rules of Practice shall not apply to actions for divorce.

5. No decree absolute for a divorce shall be granted until at least three months after a *decree nisi*.

6. The application for a decree absolute may be made to any judge sitting in Court upon at least five days' notice to the King's Proctor or the Attorney-General and to the Defendant if there has been a defence or demand for notice filed.

7. Rule 159 of the Rules of Court is amended :—

20 (A) By inserting after the word " nullity " in the second line the words " or dissolution " ; and

(B) By adding the following sub-rule :—

2. Proof of the service of the Statement of Claim upon the Defendant shall be made in such manner as shall satisfy the Judge that the Defendant has been served.

8. Except as provided by these Divorce Rules the general rules of procedure shall apply to divorce actions.

**FORM OF DECREE NISI (DISSOLUTION).**

In the Supreme Court of Alberta.

..... Judicial District.

30 Before the Honourable }  
Justice ..... } ..... day the .....  
day of ..... 19 .....

Between :

A. B. ... .. Plaintiff

and

C. D. ... .. Defendant.

This action having come on for trial this day upon hearing the evidence adduced on behalf of the Plaintiff (and the Defendant, if any) and upon hearing counsel thereon :



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It is adjudged and decreed that the marriage had and solemnized on the ..... day of ..... at ..... between the Plaintiff and the Defendant be dissolved by reason that since the celebration thereof the said Defendant has been guilty of adultery (and, if against the husband, the additional act or acts established) unless sufficient cause be shewn to the Court why this decree should not be made absolute within ..... months from the making thereof.

(Add any additional terms of the Judgment.)

.....  
*Clerk of the Court.* 10

FORM OF DECREE ABSOLUTE.

(Title as in foregoing.)

Upon application made this day to the Court by the Plaintiff and upon hearing counsel, and it appearing that upon the ..... day of ..... it was adjudged and decreed (as above) ..... unless sufficient cause be shewn to the Court why the said decree should not be made absolute within ..... months from the making thereof and no such cause having been shown :

It is adjudged and decreed that the said marriage be and the same is hereby absolutely dissolved. 20

.....  
*Clerk of the Court.*

The foregoing rules and amendments shall become effective forthwith.  
 Dated at Edmonton, 3rd October, 1919.

(Signed) HORACE HARVEY, C.J.  
 D. L. SCOTT, J.  
 C. A. STUART, J.  
 W. C. SIMMONS, J.  
 W. L. WALSH, J.  
 J. D. HYNDMAN, J. 30

MEMORANDUM.—The Judges request that an application for Decree Absolute be placed on the trial list in future. In order to comply with this will you please hereafter file a præcipe to set the motion down for hearing for the particular week you desire to have it heard.

“ R. P. WALLACE.”  
*Clerk of the Court.*

No. 4.

Sections 11 and 88 s.s. (1) North-West Territories Act (Revised Statutes of Canada, 1886, Chapter 50).

“ 11. Subject to the provisions of this Act, the laws of England relating to civil and criminal matters, as the same existed on the fifteenth day of

July, in the year of our Lord one thousand eight hundred and seventy, shall be in force in the Territories, in so far as the same are applicable to the Territories, and in so far as the same have not been, or are not hereafter repealed, altered, varied, modified, or affected by any Act of the Parliament of the United Kingdom applicable to the Territories, or of the Parliament of Canada, or by any Ordinance of the Lieutenant Governor in Council.”

“ 88. Every Judge of the Supreme Court shall have jurisdiction, power and authority to hold courts, whether established by Ordinance of the Lieutenant Governor or not, at such times and places as he thinks proper and at such courts as sole judge to hear all claims, disputes and demands whatsoever except as herein provided, which are brought before him, and to determine any questions arising thereout, as well of fact as of law, in a summary manner ; and such courts shall be open public courts.”

**No. 5.**

**Section 5, Judicature Ordinance (contained in The General Ordinances of the North-West Territories of Canada, 1905).**

“ 5. A Judge sitting in chambers if he shall announce that he is sitting in Court shall have, possess, exercise and enjoy all the powers and authorities, rights, privileges, immunities and incidents of the said Court and any judgment given or decision or determination or rule, order or decree made by him while sitting as aforesaid in respect of any matter lawfully brought before him shall be subject to the provisions in this Ordinance relating to appeal to the Court *en banc*.”

**No. 6.**

**Notice of Motion to add Helen McPherson as a Party Defendant.**

In the Supreme Court of Alberta.  
Judicial District of Edmonton.

Between

Cora Lillian McPherson ... .. Plaintiff,

and

Oran Leo McPherson ... .. Defendant.

**NOTICE OF MOTION.**

TAKE NOTICE that by special leave granted this day by the Honourable Mr. Justice Ford in Chambers, an application will be made upon behalf of the Plaintiff before the said Honourable Judge in Chambers at the Court House, Edmonton, on Thursday the 21st day of September,

APPENDIX.

1933, at the hour of 10 o'clock in the forenoon, or so soon thereafter as the motion can be heard, for an order to add as a Defendant to this action Helen Mattern McPherson, and for leave to the Plaintiff to amend the amended statement of claim accordingly pursuant to the Rules of Court in that behalf, and for an order for such directions as to the trial of the issues between the Plaintiff and the said proposed Defendant as may seem meet and proper.

AND FURTHER TAKE NOTICE that in support of such application will be read the affidavit of the Plaintiff, the reasons of judgment of the Honourable Mr. Justice Ford and such other material as counsel may advise. 10

Dated at the City of Edmonton, Alberta, this 18th day of September, A.D. 1933.

H. A. WHITE,  
*Solicitor for the Plaintiff.*

To Woods, Field, Craig & Hyndman,  
Solicitors for the Defendant.

To Helen Mattern McPherson,  
Edmonton, Alberta.

No. 7.

Order dismissing application. 20

In the Supreme Court of Alberta.  
Judicial District of Edmonton.

Between

Cora Lillian McPherson ... .. Plaintiff,

and

Oran Leo McPherson ... .. Defendant.

Before the Honourable Mr. Justice Ford } Thursday the 21st day  
in Chambers. } of September, 1933.

Upon the application of the Plaintiff for an order adding Helen McPherson as a Defendant hereto in presence of counsel for the Plaintiff 30 and Defendant and the said Helen McPherson, upon hearing read the affidavit of the Plaintiff and upon hearing what was alleged by counsel aforesaid :

1. It is ordered that the said application be and the same is hereby dismissed.

2. It is further ordered that the costs of the application be reserved for disposition at the same time as the costs of the trial. APPENDIX.

“ FRANK FORD.”  
J.

Approved as to form only ;

“ NEIL MACLEAN,  
of Counsel for the Plff.”

Entered this 21st day of September, 1933.

“ R. P. WALLACE,”  
C.S.C.A.

10

**No. 8.**

**Notice of Appeal to Appellate Division therefrom.**

In the Supreme Court of Alberta.  
Appellate Division.

Between

Cora Lillian McPherson ... .. (Plaintiff) Appellant,  
and  
Oran Leo McPherson ... .. (Defendant) Respondent.

**NOTICE OF APPEAL.**

TAKE NOTICE that the above named Plaintiff intends to appeal and  
20 does hereby appeal to the Appellate Division of the Supreme Court of  
Alberta, at the sittings thereof commencing on the 13th day of November,  
1933, to be holden at the Court House in the City of Edmonton from the  
order of the Honourable Mr. Justice Ford made in Chambers on 21st Sep-  
tember, 1933, dismissing the Plaintiff's application for an order adding  
Mrs. Helen Mattern McPherson as a Defendant in this action on the following  
grounds, namely :—

1. The said order is against law, evidence and the weight of  
evidence.

2. The said Helen Mattern McPherson is a necessary and proper  
30 party to this action.

3. Such other grounds as may appear.

AND FURTHER TAKE NOTICE that upon the hearing of the said appeal  
the Appellant will pursuant to this notice move the said Court for a reversal  
of the said order and for an order adding the said person as a party Defendant,  
or for such other order or judgment as to this Honourable Court may seem  
meet.

Dated at Edmonton, Alberta, this 11th day of October, A.D. 1933.

“ H. A. WHITE,”  
*Solicitor for the Appellant.*

40 To R. P. Wallace, Esq.,  
Registrar of the Appellate Division  
and Clerk of the Supreme Court, Edmonton.

To Woods, Field, Craig & Hyndman,  
Solicitors for the Respondent.

## No. 9.

**Section 57 Matrimonial Causes Act (1857).**

“ 57. When the time hereby limited for appealing against any decree dissolving a marriage shall have expired and no appeal shall have been presented against such decree, or when any such appeal shall have been dismissed, or when in the result of any appeal any marriage shall be declared to be dissolved, but not sooner, it shall be lawful for the respective parties thereto to marry again, as if the prior marriage had been dissolved by death; provided always, that no clergyman in holy orders of the united church of England and Ireland shall be compelled to solemnize the marriage of any 10 person whose former marriage may have been dissolved on the ground of his or her adultery, or shall be liable to any suit, penalty or censure for solemnizing or refusing to solemnize the marriage of any such person.”

## No. 10.

**Section 91 British North America Act.**

“ 91. It shall be lawful for the Queen by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order and good government of Canada in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the provinces; and for greater certainty, but not so as to restrict 20 the generality of the foregoing terms of this section, it is hereby declared that (notwithstanding anything in this Act) the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated; that is to say:—

1. The public debt and property ;
2. The regulation of trade and commerce ;
3. The raising of money by any mode or system of taxation ;
4. The borrowing of money on the public credit ;
5. Postal service ;
6. The census and statistics ; 30
7. Militia, military and naval service and defence ;
8. The fixing of and providing for the salaries and allowances of civil and other officers of the government of Canada ;
9. Beacon, buoys, lighthouses and Sable Island ;
10. Navigation and shipping ;
11. Quarantine and the establishment and maintenance of marine hospitals ;
12. Sea coast and inland fisheries ;
13. Ferries between a province and any British or foreign country or between two provinces ; 40
14. Currency and coinage ;
15. Banking, incorporation of banks and the issue of paper money ;
16. Savings banks ;

17. Weights and measures ;  
 18. Bills of exchange and promissory notes ;  
 19. Interest ;  
 20. Legal tender ;  
 21. Bankruptcy and insolvency ;  
 22. Patents of invention and discovery ;  
 23. Copyrights ;  
 24. Indians and lands reserved for the Indians ;  
 25. Naturalisation and aliens ;  
 10 26. Marriage and divorce ;  
 27. The criminal law, except the constitution of courts of criminal jurisdiction but including the procedure in criminal matters ;  
 28. The establishment, maintenance and management of penitentiaries ;  
 29. Such classes of subjects as are expressly excepted in the enumeration of the classes of subjects by this Act assigned exclusively to the legislatures of the provinces ;  
 And any matter coming within any of the classes of subjects enumerated in this section shall not be deemed to come within the  
 20 class of matters of a local or private nature comprised in the enumeration of the classes of subjects by this Act assigned exclusively to the Legislatures of the provinces."

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No. 11.

**Section 16 Alberta Act.**

" 16. All laws and all orders and regulations made thereunder, so far as they are not inconsistent with anything contained in this Act, or as to which this Act contains no provision intended as a substitute therefor, and all courts of civil and criminal jurisdiction, and all commissions, powers, authorities and functions, and all officers and functionaries, judicial, administrative and ministerial, existing immediately before the coming into force  
 30 of this Act in the territory hereby established as the Province of Alberta, shall continue in the said Province as if this Act and the Saskatchewan Act had not been passed ; subject nevertheless except with respect to such as are enacted by or existing under Acts of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, to be repealed, abolished or altered by the Parliament of Canada, or by the Legislature of the said Province, according to the authority of the Parliament or of the said Legislature : Provided that all powers, authorities and functions which under any law, order or regulation were, before the coming  
 40 into force of this Act, vested in or exercisable by any public officer or functionary of the North-West Territories shall be vested in and exercisable in and for the said Province by like public officers and functionaries of the said Province when appointed by competent authority."

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In the Privy Council.

No. 25 of 1934.

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*On Appeal from the Supreme Court of Alberta  
(Appellate Division).*

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BETWEEN

CORA LILLIAN McPHERSON  
*(Plaintiff) Appellant,*

AND

ORAN LEO McPHERSON  
*(Defendant) Respondent.*

---

APPENDIX TO RESPONDENT'S CASE.

---

BLAKE & REDDEN,  
17, Victoria Street, S.W.1.