



At the Court at Buckingham Palace

The 11th day of July 1919

PRESENT

THE KING'S MOST EXCELLENT MAJESTY

LORD PRESIDENT

SIR FREDERICK PONSONBY

EARL OF GRANARD

SIR ROBERT HORNE.

WHEREAS there was this day read at the Board a Report from the Judicial Committee of the Privy Council dated the 3rd day of July 1919 in the words following viz. :—

“WHEREAS by virtue of His late Majesty King Edward the Seventh's Order in Council of the 18th day of October 1909 there was referred unto this Committee the Matter of an Appeal from the Appellate Division of the Supreme Court of Alberta between Mary Board Appellant and William Board and the Attorney-General of the Province of Alberta Respondents (Privy Council Appeal No. 87 of 1918) and likewise a humble Petition of the Appellant setting forth that on the 18th February 1918 the Respondent filed a Petition in the Supreme Court of Alberta Edmonton Judicial District praying for a Decree that the Respondent's marriage with the Appellant should be dissolved and for custody of the children of the marriage : that the Appellant applied for the dismissal of the Petition on the ground that the Supreme Court had no jurisdiction to entertain it : that this application was by Order of the Supreme Court referred to the Appellate Division of the Supreme Court of Alberta for adjudication : that the Appellate Division gave judgment by a majority (Harvey C.J. dissenting) on the 26th June 1918 dismissing the application and referring back the Petition to the Supreme Court to hear the evidence and to give judgment thereon : that the Appellant obtained leave to appeal to Your Majesty in Council and the Attorney-General of the Province of Alberta was given leave to join in the Appeal as Respondent : And humbly praying Your Majesty in Council to take this Appeal into

consideration and that the Judgment of the Appellate Division of the Supreme Court of Alberta dated the 26th June 1918 may be reversed altered or varied or for further or other relief in the premises:

"THE LORDS OF THE COMMITTEE in obedience to His late Majesty's said Order in Council have taken the Appeal and humble Petition into consideration and having heard Counsel on behalf of the Appellant their Lordships do this day agree humbly to report to Your Majesty as their opinion that this Appeal ought to be dismissed and the Judgment of the Appellate Division of the Supreme Court of Alberta dated the 26th day of June 1918 affirmed."

HIS MAJESTY having taken the said Report into consideration was pleased by and with the advice of His Privy Council to approve thereof and to order as it is hereby ordered that the same be punctually observed obeyed and carried into execution.

Whereof the Lieutenant-Governor of the Province of Alberta for the time being and all other persons whom it may concern are to take notice and govern themselves accordingly.

Almeric Lindsay