

In the Privy Council.

37,1443 Blake & Redden

No. 58 of 1942.

CV Book

CV 1443

CV

ON APPEAL

FROM THE COURT OF APPEAL FOR ONTARIO

BETWEEN

ABITIBI POWER & PAPER COMPANY LIMITED
(Defendant) - - - - - Appellant

AND

MONTREAL TRUST COMPANY (Plaintiff) - - - - - Respondent

AND

JOSEPH P. RIPLEY, STANTON GRIFFIS, MILTON C.
CROSS, W. H. SOMERVILLE, ROBERT H. REID,
ANDREW FLEMING AND W. A. ARBUCKLE - Respondents

AND

THE ATTORNEY-GENERAL FOR ONTARIO - - - - - Intervener.

CASE FOR THE APPELLANT
CASE FOR THE RESPONDENT THE MONTREAL TRUST COMPANY
CASE FOR THE RESPONDENTS JOSEPH P. RIPLEY AND OTHERS
CASE FOR THE INTERVENER THE ATTORNEY-GENERAL OF ONTARIO
RECORD OF PROCEEDINGS

BLAKE & REDDEN,
17, Victoria Street, S.W.1,
for the Appellant and the Intervener.

LAWRENCE JONES & CO.,
Winchester House,
Old Broad Street, E.C.2,
for the Respondent Montreal Trust Co.

LINKLATER & PAINES,
Granite House,
97, Cannon Street, E.C.4,
for the Respondents Joseph P. Ripley & Others.

901. G. 16.

Dear Canon
Costs in the

(C.P. 4) 52

Rev. & P. Canada (Hans Act)

Rev. S. 1927
1934

GR 213 Winding up Act

INSTITUTE OF ADVANCED
LEGAL STUDIES,
25, RUSSELL SQUARE,
LONDON,

W.C.1. (Whitaker)

[O. 1 Ref 1938 - 5

8 Old Refat 329

1 W W Refat 698

Merchants Bank

Consultations 7/5/43

7 May 1943 ^{11 AM -}
St W. Monkton
Election ^{for} ~~John~~ John Gahan Bennett

+ SWR 1928 Day of Elections

Monkton

26th May 1947 ^{3.30 PM - 5.}
30.30 PM - 5.

Consultation ^{John} Sir Walter Maule }
Walter Barton }
20th May 1947 3.30 ^{John Gahan} }

^{John} Sir Walter }
Barton }
Barton }

27: May 1943

11.5. Lads Allen
- Tharleton
- Russell
- Wray
- St. Millan

Appellants of W. Moulton K.C.
- F. Gahan

Resp. Muncroft Trust
D. N. Prite K.C.
Deola

Old Reports: Hon. Chas. Romer K.C.
& Crispin

Intervenor: Wilfred Barker K.C.
Frank Gahan

D. N. Prite On Preliminary Point to Quash
No leave to appeal.

Allen question right to sell
props of very large value

Tharleton Cannot it be heard now
to go to say that Prite No.

Altho we should give leave to appeal.

11.20 Sri Walle-Mantla

Appeal from etc.

As to Validity of law

Given history
Needs judgment

Appointments, 1. Prof's Cant Regs in to Prussia
2. Prof's of to Co in to Prussia
(H) Cant Regs - Prussia Regs to confirm
may under direction of Cant.

Rise 3.45 PM

2nd Day 28th May 1943

11.00

Sri Walle-Mantla

proceed with signature.

2.55 PM Baron

Cant Rises 3.45

11. Monday

June 1st May 31 - 3rd day

Pitt

Let fall, with Prussia & Prussia

if ex 92. not in 91 only incidentally

Prussia 1st part before with Prussia
& Prussia with Prussia field

3rd day continues

2.10 Pitt contg.
Lalor v Bennett

3.30 Hm v Romer K.C.

True character of the Act in question

Tranches on O.S. 21 9.9.1931 B v A act

4th Day - 1st June

10.30 Romer - conts

Jh. Re v M. v. case

Indirect coercion against his clients caused by the Act

Maitland 11.30-12

to Latham

Lalor's note take Lewis

1st June 1928 Matgore
1 June 1932 Default
10 Sep 1932 Order app. Clarkson Liquidator Receiver
8 Sep 1932 Writ Sumat
15 Feb 1937 S. of Claim
16 Feb 1937 Defence (Committee
7 June 1935 Committee of Bond Holders appointed.)
13 Sep 1935 Order joining Committee as defendant
16 Feb 1937 Defence (~~Montrose Trust Co~~) Abilati Co.
26 Sep 1932 Winding up Order
6 Nov 1937 Judgment for Plaintiff (Kingstone)
3rd Nov 1937 Reasons for Judgment