
CHERTKOW *v.* FEINSTEIN

ON APPEAL FROM THE APPELLATE DIVISION OF THE SUPREME
COURT OF ALBERTA

1929
*Oct. 3.
— "

*Marriage—Annulment—Capacity to contract—Alleged unsound mind at
date of marriage—Evidence—Sufficiency*

APPEAL by the plaintiff from the decision of the Appellate Division of the Supreme Court of Alberta (1), reversing the judgment of the trial judge, Ives J. (2), and dismissing the appellant's action in annulment of marriage.

*PRESENT:—Duff, Newcombe, Rinfret, Lamont and Smith JJ.

(1) (1929) 24 Alta. L.R. 188; (2) [1929] 1 W.W.R. 467.
[1929] 2 W.W.R. 257.

1929
CHERTKOW
v.
FEINSTEIN.
—

The issue to be determined in the case was whether the respondent at the time of the marriage was of sound mind so as to be able to enter into the contract of matrimony.

At the conclusion of the argument of counsel for the appellant, and without calling on counsel for the respondent, the court orally delivered judgment dismissing the appeal with costs.

Appeal dismissed with costs.

J. B. Barron for the appellant.

J. J. Frawley and *H. G. Nolan* for the respondent.
