

Bill No. 19 of 1946.

A BILL TO AMEND THE LIMITATION OF ACTIONS  
ACT

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NOTE.

This Bill introduces a new subsection (3) to section 5 of the above Act. In case of claims against the estate of a deceased person it frequently happens that a claim may be nearly outlawed at the time of the death of the deceased and if there is much delay in the appointment of executors or administrators a creditor finds that it is too late for him to bring an action against the estate. The purpose of the amendment is to enable a creditor to sue within the prescribed time or within two years of the death of the deceased whichever is the longer period.

W. S. GRAY,  
*Legislative Counsel.*

*(This note does not form any part of the Bill but is offered in explanation of its provisions.)*

# BILL

No. 19 of 1946.

An Act to amend The Limitation of Actions Act.

(Assented to \_\_\_\_\_, 1946.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

**1.** *The Limitation of Actions Act*, being chapter 133 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 5 by adding immediately at the end thereof the following new subsection:

“(3) Where any person has a claim against the estate of a deceased person and the claim was not barred at the date of death of such person under the provisions of this Act or any other Act limiting the time within which an action could be brought, an action may be brought to recover the claim within the time otherwise limited for the bringing of the action or within two years from the date of death, whichever period is the longer.”

**2.** This Act shall come into force on the day upon which it is assented to.

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THIRD SESSION  
**TENTH LEGISLATURE**  
10 GEORGE VI  
1946

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**BILL**

An Act to amend The Limitation of  
Actions Act.

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. MAYNARD.

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EDMONTON:  
A. Shnitka, King's Printer  
1946