

1970 Bill Pr. 4

Third Session, 16th Legislature, 19 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL Pr. 4

**An Act respecting Laura Irene Faraschuk (nee Conlin) and
the Estate of Laura Belle Conlin O'Dea, deceased**

MR. GORDEY

First Reading

Second Reading

Third Reading

BILL Pr. 4

1970

An Act respecting Laura Irene Faraschuk (nee Conlin) and
the Estate of Laura Belle Conlin O'Dea, deceased

(Assented to _____, 1970)

Preamble **W**HEREAS Laura Irene Faraschuk by her Petition represented that she was made a permanent ward of the Superintendent of Child Welfare without due process of law;

AND WHEREAS subsequently an Order of Adoption of the Petitioner was made without the consent of her natural parents or guardian or any other person having lawful authority to give such consent;

AND WHEREAS the law of inheritance at the time such Order was made provided that an adopted child inherited from its natural parents, which right of inheritance was subsequently extinguished by retroactive legislation;

AND WHEREAS by reason of the lapse of time the said Order of Adoption can no longer be appealed against;

AND WHEREAS it is expedient and in the interest of the Petitioner that the said Order of Adoption be declared to have been made without jurisdiction and the adoption of the Petitioner ordered thereby to be and always to have been *void ab initio*;

THEREFORE, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

Presumption of kinship **1.** The said Laura Irene Faraschuk is hereby declared always to have been and now to be the lawful child of her natural mother, Laura Bell Conlin O'Dea, deceased, and the said Adoption Order is declared always to have been and to be *void ab initio*; having been made without jurisdiction.

Inheritance rights declared **2.** The said Laura Irene Faraschuk is hereby declared always to have been and now to be the lawful heir of the said Laura Belle Conlin O'Dea and successor to the estate and property of the said Laura Belle Conlin O'Dea, deceased,

together with all the rights and privileges as set forth in *The Intestate Succession Act*, being chapter 161 of the Revised Statutes of Alberta, 1955 and amendments thereto, as if the aforesaid Order of Adoption had not been made.

Coming into force **3.** This Act comes into force on the day upon which it is assented to.