

# BILL

No. 85 of 1912.

An Act to amend the Statute Law.

(Assented to 1912.)

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

1. This Act may be cited as "*The Statute Law Amendment Act, 1911.*" Citation

2. *The Judicature Ordinance*, being chapter 21 of the Consolidated Ordinances 1898, is amended as follows: C.O. Cap. 21 amended

Section 25: By adding thereto the following: Section 25 amended

"(2) The Attorney General may if he deem proper appoint any other person to institute and conduct an inquiry into the conduct of any of the above mentioned officers, and such person shall have all the powers conferred upon the Inspector of Legal Offices herein in regard to the conduct of such inquiry."

(2) Rule 590 of the Rules of Court in the said Ordinance: Rule 590 amended

By adding to subsection 2 thereof the words: "Provided, however, that if application is made for letters of administration by the public trustee appointed under the provisions of the Act of the Parliament of the United Kingdom of Great Britain and Ireland known as *The Public Trustee Act*, he shall not be required to give any bond or security, but shall be subject to the same liabilities and duties as if he had given such bond or security." Public Trustee not required to give security

3. *The Ordinance respecting Benevolent and other Societies*, being chapter 66 of the Consolidated Ordinances 1898, is amended as follows: C.O. Cap. 66 amended

Section 2: By striking out the word "Regina" in the third line of subsection 4 thereof, and substituting therefor the word "Edmonton."

(2) By adding to said subsection the following:

"All such declarations heretofore filed in the office of the registrar of the Supreme Court at Edmonton shall be deemed, for all purposes, to have been, at the time of such filing, filed in accordance with the provisions of this Ordinance."

4. *The Companies Ordinance*, being chapter 20 of the Ordinances of 1901, is amended as follows: Cap 20, 1901 amended

By repealing section 5 thereof and substituting therefor the following: Section 5 amended

"(5) Any three or more persons associated for any lawful purpose to which the authority of the Legislature extends, except for the purpose of the construction or operation of railways or of telegraph lines or the business of insurance, except hail insurance, may by subscribing their names to a memorandum of association and otherwise complying with the requirements of this Act in respect of registration, form an incorporated company with or without limited liability." Who may incorporate company

2. By adding immediately after section 24 thereof the following:

"24a. The certificate of incorporation of any company and any certificate amending or varying the same, may at any time be forfeited, revoked, and made void by an order of the Lieutenant Governor in Council and such forfeiture, revocation and making void may be on such conditions and subject to such provisions as to the Lieutenant Governor in Council may seem proper."

Forfeiture  
of certifi-  
cate of in-  
corporation

3. By adding immediately after section 63 thereof the following:

"63a. Every company, the objects whereof are restricted as aforesaid, shall be deemed to have the following, but, except as in this Ordinance otherwise expressed, no greater powers, that is to say:

Section 63a  
added.

Powers of  
a mining  
company

"(1) To obtain by purchase, lease, hire, discovery, location or otherwise, and hold within the province, mines, mineral claims, mineral leases, prospects, mining lands and mining rights of every description, and to work, develop, operate and turn the same to account, and to sell or otherwise dispose of the same or any of them, or any interest therein;

"(2) To dig for, raise, crush, wash, smelt, assay, analyze, reduce, amalgamate and otherwise treat gold, silver, copper, lead, ores or deposits and other minerals and metallic substances and compounds of all kinds, whether belonging to the company or not and to render the same merchantable and to buy, sell and deal in the same or any of them;

"(3) To carry on the business of a mining, smelting, milling and refining company in all or any of its branches;

"(4) To acquire by purchase, lease, hire, exchange or otherwise, such timber lands or leases, timber claims, licenses to cut timber, surface rights and rights of way, water rights and privileges, mills, factories, furnaces for smelting and treating ores and refining metals, buildings, machinery, plant or other real or personal property as may be necessary for or conducive to the proper carrying out of any of the objects of the company;

"(5) To construct, maintain, alter, make, work and operate on the property of the company, or on property controlled by the company, any canals, trails, roads, ways, tramways, bridges, and reservoirs, dams, flumes, race and other ways, water-courses, aqueducts, wells, wharves, piers, furnaces, saw-mills, crushing works, smelting works and concentrating works, hydraulic works, electrical works and appliances, warehouses, buildings, machinery, plant, stores and other works and conveniences which may seem conducive to any of the objects of the company, and, with the consent of the shareholders in general meeting to contribute to, subsidise or otherwise aid or take part in any such operation though constructed and maintained by any other company or persons outside of the property of the company, and to buy, sell, manufacture and deal in all kinds of goods, stores, implements, provisions, chattels and effects required by the company or its workmen and servants;

"(6) To build, acquire, own, charter, navigate and use steam and other vessels for the purpose of the company;

"(7) To take, acquire, and hold as the consideration for ores, metals or minerals sold or otherwise disposed of, or for goods supplied or for work done by contract or otherwise, shares, debentures, bonds or other securities of or in any other company, the objects of which are restricted as herein aforesaid, and to sell or otherwise dispose of the same;

"(8) To enter into any arrangement for sharing profits, union of interests or co-operation with any other person or company carrying on, or about to carry on, any business or transaction which a company specially limited under this section is authorized to carry on;

"(9) To purchase or otherwise acquire and undertake all or any of the assets, business, property, privileges, contracts, rights, obligations and liabilities of any person or company carrying on any part of the business which a company specially limited under this section is authorized to carry on, or possessed of property suitable for the purposes thereof;

"(10) To borrow or raise money for the purposes of the company but so that the amount so borrowed or raised shall not, without the sanction of a general meeting of the company, exceed one-quarter of the amount of the paid-up capital for the time being, and for the purpose of securing such money and interest or for any other purpose to mortgage or charge the undertaking or all or any part of the property of the company, present or after acquired, and to create, issue, make, draw, accept and negotiate perpetual or redeemable debentures or debenture stock, promissory notes, bills of exchange, bills of lading, warrants, obligations and other negotiable and transferable instruments; provided, however, that the restriction in this subsection contained as to borrowing without the sanction of a general meeting shall not be deemed to be imperative, and shall in no wise limit, control or affect any power of borrowing vested in the board of directors of the company or of the company under the memorandum of association, or the articles of association, or by by-laws of the company;

"(11) To distribute any of the property of the company among the members in specie;

"(12) To sell, improve, manage, develop, exchange, lease, mortgage, dispose of, turn to account or otherwise deal with the undertaking of the whole or any part of the property and rights of the company, with power to accept as the consideration any shares, stocks, or obligations of any company; provided, however, that in case of a sale for shares in a company, such shares shall be fully paid up; to do all such other things as are incidental or conducive to the attainment of the foregoing objects."

**5. *The Hospital Ordinance***, being chapter 8 of the Ordinances of 1901, is amended as follows: Cap. 8 of  
1901 am-  
ended

Section 3 is amended by chapter 2 of the Statutes of Alberta, 1910 (Second Session): Section 3  
amended

By striking out after the word "of" in the fourth line of said section the words "thirty-five" and substituting therefor the words "twenty-five."

**6. *An Ordinance respecting Water, Gas, Electric and Telephone Companies***, being chapter 21 of the Ordinances of 1901, is amended as follows: Cap 21. of  
1901  
amended

By adding to section 1 thereof the following: Section 1  
amended

"(2) Whenever the word 'gas' is used in this Act it shall be construed to include natural gas." Gas to in-  
clude na-  
tural gas

(2) By adding immediately after section 4 thereof the following: Section 4a  
added

"4a. No company shall erect wires, for the transmission of electricity for any purpose until it has filed with the Minister of Railways and Telephones plans showing the location of such Company  
to file  
plans

wires, their height above the ground and such other information as the Minister may from time to time require, nor until such plans have been approved by such Minister."

(3) Section 5: By striking out after the word "of" in the third line thereof the word "the" and substituting therefor the word "any" and by striking out after the word "places" in the fourth line thereof the words "of the municipality for supplying which with gas or water or electricity or a telephone system or either of them the company has been incorporated."

Section 5  
amended

7. *The School Ordinance*, being chapter 29 of the Ordinances of 1901, is amended as follows:

Cap. 29 of  
1901 am-  
ended

1. Section 72: By striking out the words "Municipal Ordinance" in the seventh line thereof, and substituting therefor the words "Town Act."

Section 72  
amended

2. Section 77: By striking out the words "Municipal Ordinance" in the seventh line thereof, and substituting therefor the words "Controverted Municipal Elections Act."

Section 77  
amended

3. Section 128 as amended by chapter 6 of the Statutes of Alberta, 1910 (Second Session), by striking out after the word "effect" in the fifteenth line of subsection 7 thereof all the words of the said subsection, being the form of debenture therein provided, and substituting therefor the following:

Section 128  
amended

"Dominion of Canada,  
Province of Alberta.

\$..... \$.....

Debenture No.....

The.....School District No.....of  
the Province of Alberta.

The Board of Trustees of the.....School  
District No.....of the Province of Alberta promises  
to pay the bearer, at the.....on the.....day  
of.....the sum of.....Dollars (\$.....)  
of lawful money of Canada.

Dated this.....day of.....A.D. 19...

Chairman.

[SEAL.]

Treasurer."

4. By adding immediately after section 130 the following:  
"130a. Any debentures issued under the provisions hereof and coupons for the interest thereon may be made payable in gold or its equivalent of lawful money of Canada or of Great Britain at a bank to be named in any part of Great Britain, the United States of America or Canada.

Section  
130a added  
Debentures  
may be  
payable in  
sterling  
money, etc.

"(2) The signatures on such coupons may be engraved or lithographed."

8. *The School Assessment Ordinance*, being chapter 30 of the Ordinances of 1901, is amended as follows:

Cap. 30 of  
1901 am-  
ended

By striking out the words "Minister of Public Works" wherever the same occur in the said Ordinance, and substituting therefor the words "Minister of Municipal Affairs."

9. *The Foreign Companies Ordinance*, being chapter 14 of the Ordinances of 1903 (First Session) is amended as follows:

Cap. 14 of  
1903 am-  
ended

Section 4: By adding thereto the following:

"(2) Upon any increase in the capitalization of any foreign company described in schedule B hereto, such foreign company shall forthwith notify the registrar by registered post of such

Fees pay-  
able on in-  
creased ca-  
pitalization

increase and of the amount of same, and shall also pay to the registrar the difference (if any) between the fees paid upon registration by such foreign company and the fees payable upon registration by a foreign company having a capital equal to the capital of such company when so increased, and upon default in payment thereof the said foreign company shall be liable on summary conviction to a penalty of \$50 for each day on which it carries on business within the province in contravention of this subsection, and proof of compliance with the provisions of this subsection shall at all times be upon the accused."

(2) By adding immediately after section 5 the following: Section 5a  
added  
 "5a. No foreign company which carries on the business of fire, life, guarantee or accident insurance, shall hereafter be registered or carry on business under the provisions of this Act, nor shall any foreign company heretofore registered carry on any such business after the 1st day of January, 1913, unless and until such company produces evidence satisfactory to the registrar that it is carrying on such business under a subsisting license from the Dominion of Canada, under the provisions of *The Insurance Act*, being Chapter 32 of the Statutes of Canada, 1910, or any Act passed in amendment or substitution thereof." Insurance  
companies  
to have  
Dominion  
license

**10.** *The Agricultural Societies Ordinance*, being chapter 17 of the Ordinances of 1903 (First Session), is amended as follows: Cap. 17 of  
1903 am-  
ended

By adding to subsection 5 thereof the following:

"Provided that where the amount of money so actually paid out for prizes exceeds the sum of \$500, an amount equal to sixty-six and two-thirds per cent. of the money so actually paid out."

Section 33: By adding to subsection 3 thereof the following:

"Provided further that the Lieutenant Governor in Council may, if he deem proper, make a special grant to any society which has actually held an exhibition, but which has failed to comply strictly with all the requirements of this section, of an amount equal to sixty-six and two-thirds per cent. of the amount actually paid out by such society for prizes at such exhibition."

By striking out the figures "33" wherever the same appear in subsections 7, 8 and 9 thereof and substituting therefor the figures "23."

**11.** *The Public Service Act*, being chapter 4 of the Statutes of Alberta, 1906, is amended as follows: Cap. 4 of  
1906 am-  
ended

Section 4: By repealing the schedule in the said section contained and substituting therefor the following:

- "(a) The Office of the Executive Council;
- "(b) The Department of the Attorney General;
- "(c) The Department of the Provincial Secretary;
- "(d) The Department of the Treasury;
- "(e) The Department of Railways and Telephones;
- "(f) The Department of Public Works;
- "(g) The Department of Agriculture;
- "(h) The Department of Education;
- "(i) The Department of Municipal Affairs;
- "(j) The Office of the Government Printer;
- "(k) The Office of the Legislative Assembly.

(2) By adding immediately after section 30 the following: Section 30a  
added

"30a. Whenever under the provisions of any Ordinance of the North-West Territories or Act of the Province of Alberta, or regulations passed in pursuance thereof, any duties, powers or functions are assigned to any member of the Executive

Council or any department of the Public Service, the Lieutenant Governor in Council may, from time to time, assign such duties, powers and functions or any of them to such other member of the Executive Council or department of the Public Service as may be deemed proper in the place and stead of the member of the Executive Council or department of the Public Service, to which such duties, powers and functions, or any of them, are assigned by Ordinance or Act as aforesaid."

Lieutenant-Governor given power to change minister

**12. *The Public Works Act***, being chapter 10 of the Statutes of Alberta, 1906, is amended as follows: Cap. 10 of 1906 amended

Section 61: By striking out the word "or" in the second line of subsection 4 thereof and substituting therefor the word "of."

Section 61 amended

(b) By striking out the word "steam" wherever the same occurs in the said subsection.

(2) By adding immediately after section 64 the following:

"**64a.** The Minister may from time to time make such regulations as he may deem proper in regard to any plan of subdivision of any land which it is proposed to register under the provisions of section 124 of *The Land Titles Act*, being chapter 24 of the Statutes of Alberta, 1906, or any Act passed in amendment or substitution thereof; and may from time to time impose and collect such fees or charges, and may make such reservations from the area of any land included in any such plan for school or other public purpose, as he may deem proper."

Section 64a added

Minister given power to make regulations etc.

**13. *An Act respecting Police Magistrates and Justices of the Peace***, being chapter 13 of the Statutes of Alberta, 1906, is amended as follows: Cap. 13 of 1906 amended

Section 6: By striking out the words "district of" (as the case may be) in the seventh line thereof and substituting therefor the words "Province of Alberta," and by striking out the words "King Edward the Seventh" in the eighth line thereof and substituting therefor the words (*here insert the name of the reigning Sovereign*).

Section 6 amended

**14. *The Land Titles Act***, being chapter 24 of the Statutes of Alberta, 1906, is amended as follows: Cap. 24 of 1906 amended

Section 2: By repealing clause (p) thereof and substituting therefor the following— Section 2 amended

"(p) The expression 'registrar' means inspector of land titles offices, when acting as registrar, a registrar of titles, a deputy registrar or an assistant deputy registrar."

(2) Section 9: By repaling same and substituting therefor the following: Section 9 amended

"(9) The Lieutenant Governor in Council may from time to time appoint a deputy registrar and one or more assistant deputy registrars, who shall be known as first, second or third deputy registrar or as the case may be, to assist a registrar under instructions from the latter and perform such duties as he shall from time to time assign to each of them."

Appointment of assistant deputy registrars

"(b) The deputy registrar may, in the event of illness or absence of the registrar, perform all the duties required by the Act to be done by the registrar;

"(c) In the case of death, resignation or removal from office of the registrar, the deputy registrar shall do and perform all the duties of a registrar until another registrar is appointed."

(3) Section 11: By striking out the word "and" in the second line thereof, and by inserting after the words "deputy registrar" in the said second line the words "and assistant deputy registrar." Section 11  
amended

(4) Section 12: By adding after the words "deputy registrar" wherever they occur therein the words "or assistant deputy registrar." Section 12  
amended

(5) Section 13: By adding after the words "deputy registrar" in the third line thereof the words "or assistant deputy registrar." Section 13  
amended

(6) Section 14: By adding after the words "deputy registrar" in the second line thereof the words "or assistant deputy registrar." Section 14  
amended

(7) Section 16: By adding after the words "deputy registrar" in the second line thereof the words "or assistant deputy registrar." Section 16  
amended

(8) Section 17: By adding thereto the following: Section 17  
amended  
 "(2) Every registrar shall when requested furnish under seal an abstract in form EE, showing in whose name any parcel of land stands, the number of the certificate of title and the instruments registered against the said land.

"(3) Every registrar shall when requested furnish a general registrar's certificate under seal in form FF." Registrar  
to furnish  
abstract

(9) Section 18: By adding after the words "deputy registrar" in the second line thereof the words "or assistant deputy registrar." Section 18  
amended

(10) Section 26: By striking out the proviso to subsection 1 thereof and substituting therefor the following: Section 26  
amended  
 "Provided that in no case shall a first or subsequent certificate of title issue for more than fifty lots or for lots in more than one subdivision or for unsubdivided lands which are not contiguous, or which contain more than six hundred and forty acres."

(11) Section 46: By adding after the word "decide" in the eleventh line thereof the words "for any reason." Section 46  
amended

(12) Section 53: By repealing same and substituting therefor the following: Section 53  
amended

"53. The registrar may require the owner of any land within his registration district desiring to transfer or otherwise deal with the same under the provisions of this Act to have the same surveyed by an Alberta land surveyor and to furnish to the registrar a plan of such survey made on tracing linen in black India ink, having the several measurements made thereon, and prepared upon one of the following scales—

"(a) If the land proposed to be transferred or dealt with is of less area than one acre, then the map or plan shall be on a scale not less than one inch to two chains;

"(b) If the land is of greater area than one acre, but not exceeding five acres, then the map or plan shall be on a scale not less than one inch to five chains;

"(c) If the land is of greater area than five acres, but not exceeding eighty acres, then the map or plan shall be on a scale not less than one inch to ten chains.

"(2) The plan shall be signed by the owner and certified by the Alberta land surveyor who made the survey represented by such plan in the form CC in the schedule to this Act, and the signature of both owner and surveyor shall be witnessed and attested in the manner hereinafter provided for the attestation of all instruments.

"(3) The plan shall show all the original boundaries of the section, settlement lot or surveyed parcel of land of which the land desired to be dealt with is a part, with all angular and lineal measurements thereof and all information as to the original monuments found on the ground which are necessary to establish the true position of such boundaries; provided, however, that if, in the opinion of the surveyor to the land titles office, it is not necessary to show all the said original boundaries in order to clearly determine the accurate position of the land desired to be dealt with, it shall be sufficient to show only such information in regard to said boundaries as he may determine to be necessary.

"(4) If the owner neglects or refuses to comply with the requirements aforesaid the registrar shall not proceed with the registration of the transfer or dealing until the requirements are complied with.

"(5) Any plan which has been prepared in accordance with the provisions of any Act of the Parliament of Canada from time to time known as *The Railway Act* or of any other Act of the Parliament of Canada, and which has been lodged or filed with the registrar under or in accordance with the said provisions, shall be dealt with and recognized by him in so far as it is capable of being dealt with and recognized, as if it had been prepared and filed or registered under and in accordance with the provisions of this Act.

"(6) Any map or plan attested by the signature of the Superintendent General of Indian Affairs or his deputy and certified by a Dominion land surveyor to be a true copy of a plan of survey lodged or filed in the Department of Indian Affairs, of lands described as 'Indian Lands' in the Act of the Parliament of Canada known as *The Indian Act*, shall be dealt with and recognized in accordance with the provisions of this section by the registrar of the land registration district in which the said lands are situated when the said map or plan has been lodged or filed with him, notwithstanding that *The Indian Act* does not expressly authorize the said map or plan to be so lodged or filed."

(13) By adding immediately after section 53 the following: Section 53  
added

"53a. All railway corporations shall deposit with the registrar of the land registration district within which such lands are situated plans in duplicate of the land required for their right of way and station grounds, or for any other railway purpose, before being granted certificates of title therefor, and such plan shall be in accordance with the following provisions: Railway  
plans

"(a) The plan shall be made on tracing linen in black India ink and vermilion red, and certified by a Dominion land surveyor in the form H H or by an Alberta land surveyor in the form C C, in the schedule to this Act, according as the land dealt with is Dominion or patented land, and the signature of such surveyor shall be duly witnessed and attested in the manner provided for the attestation of instruments to be registered under this Act;

"(b) The area taken from each quarter section, settlement lot, or parcel of land, as the case may be, shall be shown on the plan;

"(c) The original boundaries of sections, settlement lots and parcels of land, together with the information as to monuments, etc., on which the position of such lines was determined by the surveyor on the ground, shall be shown on the plan; and a sufficient number of angular and lineal measurements to define the limits



of the land taken for the right-of-way of such railway and to show their connection with each such original boundary shall also be shown;

“(d) The land required for right-of-way shall be defined on the ground by iron posts placed on the southerly or westerly limit thereof, and such posts shall be placed at every change of direction of said limit and at the intersection of said limit with the southerly or westerly boundary of each road allowance or, where there is no road allowance, of each section, settlement lot or other surveyed parcel, whenever for any reason it is not possible to place such posts on the southerly or westerly limit of a right-of-way they shall be placed on the northerly or easterly limit thereof, and the plan shall show the location of these posts and, in the case of those placed on section, settlement lot or other land boundaries, the distance measured along such boundary, from such posts to the nearest monument or post on such boundary;

“(e) When the location of the railway is through land which has been subdivided and of which a plan has been registered under section 124 of this Act, the railway plan must show distinctly, as to all allotments taken in whole or in part for the right-of-way or station grounds or for any other railway purpose, the lines of such allotments according to such registered plan, and a sufficient number of angular and linear measurements to show the location and connection of the part required by the railway with the external boundaries of each allotment;

“(f) The plan shall show the land required for right-of-way, station grounds, or other railway purposes coloured red.”

(14) Section 60: By striking out after the word “land” in the fifteenth line thereof the words “together with all mortgages or encumbrances affecting the same, if any.” Section 60  
amended

(15) Section 63: By adding after the word “affect” in the fourteenth line thereof the words “or upon the production of a receipt or acknowledgement in the said form I, accompanied by evidence satisfactory to the registrar of the loss or destruction of the mortgage or encumbrance.” Section 63  
amended

(16) Section 74: By repealing same and substituting therefor the following: Section 74  
amended

“74. Wherever the owner of any land for which a certificate of title has been granted dies such land shall subject to the provisions of this Act vest in the personal representative of the deceased owner.” Transmis-  
sion of  
title on  
death

“(2) Such personal representative shall before dealing with such land make application in writing (executed by himself or his solicitor) to the registrar to be registered as owner and shall produce to and leave with the registrar the duplicate certificate of title for the lands in respect of which the application is made and probate of the will of the deceased owner, or letters of administration, or the order of court authorizing him to administer the estate of the deceased owner or a notarial copy of the will of the deceased made in notarial or authentic form, executed within the Province of Quebec, the original of which is filed in any notarial office, or a duly certified copy of the said probate, letters of administration or order, as the case may be, for the purpose of this Act the probate of a will granted by the proper court of any province of the Dominion of Canada, or of the United Kingdom of Great Britain and Ireland, or an

exemplification thereof, shall be sufficient, if the same shall have been resealed with the seal of the court in the Province of Alberta having jurisdiction in such matters.

"(3) The registrar shall thereupon enter upon the said certificate of title and upon the duplicate thereof a memorial of the application for transmission the date of the probate, letters of administration, order of the court or notarial will, the date and hour of the production to him of the same and such other particulars as he may deem necessary and shall also note the fact of registration by the usual memorandum under his hand on the said probate, letters of administration, order or notarial will.

"(4) Upon such memorandum being made the executor or administrator, as the case may be, shall be deemed to be the owner of the land and the registrar shall cancel the said certificate of title in the name of the deceased owner, and grant to the executor or administrator aforesaid, as such, a new certificate of title and issue to him a duplicate certificate.

"(5) The title of the executor or administrator to the lands shall relate back and take effect from the date of the death of the deceased owner.

"(6) If the certificate of title for the land has not been granted to the deceased owner the personal representatives before being entitled to be registered under this section shall bring the land under this Act in the ordinary way."

(17) Section 75: By adding after the word "owner" in the seventh line thereof the words "or a notarial copy of the will of the deceased made in a notarial or authentic form, executed within the Province of Quebec, the original of which is filed in any notarial office." Section 75  
amended

(b) By inserting after the word "to" in the twelfth line thereof the words "and left with."

(18) Section 83: By striking out after the word "marriage" in the third line thereof the words "subsequent to the issue thereof." Section 83  
amended

(19) Section 85: By adding after the word "claimed" in the eighth line thereof the words "and the grounds upon which such claim is founded." Section 85  
amended

(20) Section 95: By repealing same and substituting therefor the following: Section 95  
amended

"It shall not be lawful, except as hereafter mentioned, for the same person, or for any one on his behalf, to file more than one caveat in respect of the same matter; but nothing herein contained shall prejudice the right of the registrar to enter any caveat under the powers vested in him by this Act; and a judge may, if he thinks proper, upon application made to him for that purpose and upon such terms as to costs or otherwise as he may consider just, order that a new caveat be filed, and such order shall fix a time within which the caveator must proceed upon such caveat." Only one  
caveat to  
be filed

(21) Section 114: By adding thereto the following: Section 114  
amended

"(2) If it appears to the satisfaction of the registrar that any duplicate certificate of title or other instrument has been issued in error or contains any misdescription, or that any entry or indorsement has been made in error on any certificate of title or other instrument, or that any such certificate, instrument, entry or indorsement was fraudulently or wrongfully obtained, he may, whether such certificate or instrument is in his custody or has been produced to him in answer to a demand, so far as practicable without prejudicing rights conferred for value, cancel or correct any error in such certificate of title or other" Correction  
of certifi-  
cate

instrument, or in any entry made thereon or in any memorial, certificate, exemplification or copy of any instrument made in or issued from the land titles office, and may supply entries to be made:

"Provided always that in the correction of any such error he shall not erase or render illegible the original words, and he shall affix the date upon which such correction was made or entry supplied.

"(3) Every certificate of title so corrected, and every entry so corrected or supplied, shall have the like validity and effect as if such error had not been made or such entry omitted."

(22) Section 120: By adding thereto the following:

Section 120  
amended

"(3) When the said fund shall have reached the sum of \$75,000, any sum in excess of said amount may, by direction of the Lieutenant Governor in Council, from time to time be transferred to and form part of the consolidated revenue fund of the province."

Disposition  
of assur-  
ance fund

(23) Section 124, as amended by chapter 2 of the Statutes of Alberta, 1910 (Second Session):

Section 124  
amended

By striking out all the words of subsection 4 before the word "no" in the sixth line thereof, and by striking out after the word "land" in the seventh line thereof the words "outside the corporate limits of any city or town."

(b) By adding after the word "transfers" in the first line of subsection 5 thereof the words "or mortgages."

(c) By adding to said section the following:

"6. No plan of subdivision of any encumbered land shall be registered unless the same be approved and signed by the encumbrancee or encumbrancees."

(24) The schedule to the said Act is amended as follows:

Schedule  
to Act  
amended

By repealing form CC and substituting therefor the following:

"I....., Alberta land surveyor, do solemnly declare that the survey represented by this plan has been made by me in accordance with the provisions of *The Alberta Surveys Act*, and that this plan is correct and true to the best of my knowledge and belief, and is prepared in accordance with the provisions of *The Land Titles Act*.

"Dated at.....this.....day of.....  
19...., in the presence of....."

By adding thereto the following:

"FORM EE.

Section 17 (2):

The Land Titles Act.

.....Land Titles Office,.....  
Alberta Land Registration District.

Re.....

I hereby certify that on this.....day  
of.....A.D. 191...., at.....o'clock  
.....m., Certificate of Title Number.....stood  
in the name of.....for the above land subject  
to the following registered instruments only:

No. of Instrument	Nature of Instrument	Date of Instrument	Date of Registry	Grantor, etc.	Grantee, etc.	Quantity of land	Consideration

.....  
*Registrar,*  
 ..... *Alberta Land Registration District.*

“FORM FF.

Section 17 (3).

Land Titles Office,

..... *Alberta Land Registration District.*

I hereby certify that on this ..... day of  
 ..... A.D. 191 ..... at ..... o'clock ..... m.,  
 there are no decrees, orders or executions entered in the execution  
 register of the above office, and no instrument referring generally  
 to lands entered in any other register of such office, which  
 affects lands of .....  
 .....  
 .....  
 excepting:

.....  
*Registrar,*  
 ..... *Alberta Land Registration District.*

“FORM GG.

Section 71.

North Alberta Land Registration District.

Certificate of Charge.

Mortgage or Encumbrance.

Mortgage or Encumbrance No. .... Application No. ....

Assignment No. .... Certificate of Title No. ....

This is to certify that a .....  
 ..... made by .....

to .....  
 for the sum of .....  
 dollars affecting .....

.....  
 was duly registered in the Land Titles Office at .....  
 Alberta, on the ..... day of ..... A.D. 19 .....  
 at ..... o'clock ..... m., and that no  
 registered mortgages or encumbrances affecting the said lands  
 are entitled to priority over the said .....

except the following, that is to say: .....

Dated at the Land Titles Office at....., Alberta, this  
.....day of.....A.D. 191....

Registrar.

.....Alberta Land Registration District.

“FORM HH.

Section 53a.

I,.....a Dominion Land Surveyor,  
do solemnly declare that the survey represented by this plan  
has been made by me and that the said plan is correct and true  
to the best of my knowledge and belief and is prepared in accord-  
ance with the provisions of *The Land Titles Act*.

Dated at.....this.....day of.....  
19...., in the presence of.....”

**15. *The Medical Profession Act*, being chapter 28 of the Statutes of Alberta, 1906, is amended as follows:**

Chapter 28  
of the Stat-  
utes of Al-  
a. 1906  
is amended

Section 61: By striking out after the word “surgeon” in  
the second line thereof the words “in any branch of the public  
service of the Province of Alberta, or.”

**16. *An Act to Incorporate the City of Wetaskiwin*, being chapter 41 of the Statutes of Alberta, 1906, is amended as follows:**

Cap. 41 of  
1906 am-  
ended

Section 3: By striking out after the word “made” in the  
second line thereof the words “or any Act in substitution  
thereof,” and by striking out after the word “Ordinance”  
in the fifth line of said section the words “or Act.”

Section 3  
amended

**17. *The District Courts Act*, being chapter 4 of the Statutes of Alberta, 1907, is amended as follows:**

Cap. 4 of  
1907 am-  
ended

By adding immediately after section 16 thereof the following:

“**16a.** Whenever it appears that the convenience of the  
public so requires, the Lieutenant Governor in Council may  
appoint deputy clerks for the District Courts, for all or any of  
the judicial districts in the province, and may designate the  
place or places where their offices shall be established, and  
may fix their remuneration and the expression ‘clerk or clerks’  
where used in this Act shall be taken to include such deputy  
clerks respectively.

Section 16a  
added  
Power to  
appoint  
deputy dis-  
trict court  
clerks

“(2) Until such appointment is made the deputy clerk, or  
acting deputy clerk of the Supreme Court for the judicial  
districts respectively shall exercise all the functions which under  
this Act would be exercisable by deputy clerks of the District  
Courts.

“(3) All appointments heretofore made by the Lieutenant  
Governor in Council of persons as deputy clerks, acting deputy  
clerks, or acting clerks, of any District Court in this province  
are hereby declared to have been and to be legal and valid.”

**18. *The Assignments Act*, being chapter 6 of the Statutes of Alberta, 1907, is amended as follows:**

Cap. 6 of  
1907 am-  
ended

Section 23: By striking out, after the word “claim” in  
the third line thereof the words “proved by affidavit” and  
substituting therefor the words “verified by statutory declar-  
ation.”

Section 23  
amended

**19. *The Insanity Act*, being chapter 7 of the Statutes of Alberta, 1907, is amended as follows:**

Section 16 as amended by chapter 2 of the Statutes of Alberta, 1910 (Second Session): By adding after the word "released" in the first line of subsection 4 thereof the words "or handed over to any immigration officer or other person for deportation."

(2) By adding immediately after section 23 the following:

"23a. Every person who has been detained as insane shall, as soon as in the opinion of the superintendent of the asylum in which he or she has been confined, such person has been restored to reason and is competent to act for himself or herself be forthwith discharged; in case the discharged person be in indigent circumstances such person may be furnished with necessary clothing and with an amount of money sufficient for sustenance and travelling expenses to his or her home, but in no case shall the amount of money furnished exceed the sum of \$20.00."

20. *The Village Act*, being chapter 10 of the Statutes of Alberta, 1907, is amended as follows:

Section 2: By striking out the words "Minister of Public Works" in clause 2 thereof and substituting therefor "Minister of Municipal Affairs."

(2) Section 6: By repealing same.

(3) Section 51: By repealing same and substituting therefor the following:

"51. The council of any village may pass a resolution or resolutions licensing, regulating and governing all persons who for gain or hire directly or indirectly keep or have in their possession, on their premises or under their control any pool, billiard or bagatelle tables, in a place of public entertainment, whether such pool, billiard or bagatelle table be used or not, and for regulating and governing all persons who use or frequent premises where any pool, billiard or bagatelle table is so kept.

"(b) Licensing, regulating and governing public bowling alleys and regulating and governing all persons who use or frequent same."

(4) Section 52: By adding thereto the following:

"The provisions of this section in regard to assessment and taxation shall hereafter apply to all villages notwithstanding that the presentation therein referred to may not be passed or the petition therein referred to not presented and any provisions of this Act inconsistent therewith shall be deemed to be repealed."

(5) By adding immediately after section 55 the following:

"55a. On receipt of a resolution of the council, together with a petition of the majority of the resident ratepayers, the signatures to which petition shall be verified by statutory declaration, the Minister may authorize the council to grant, subject to such terms as shall be approved by the Minister, to any person, firm or corporation any right, authority or permission whether exclusive or otherwise to construct, maintain or operate within the village, for a term not exceeding twenty years, in, under, above, on, through, or across any highway, road, street, lane, public place or public water, within the jurisdiction of the village, any poles, wires, tracks, pipes, conduits, buildings, erections, structures or other things for the purpose of bridges, railways and tramways, or for the purpose of conducting steam, heat, water, gas, natural gas, electricity, or any other property, substance or product capable of being transported, transmitted or conveyed for the supply of water, or heat, light, power, fuel, transportation, or other service."

(6) By adding immediately after section 79 thereof the following:

"79a. A census of any village may at any time be taken under the authority of a resolution of the ratepayers passed at the annual village meeting or at any other meeting of the ratepayers specially called for that purpose.

Census  
may be  
taken

"79b. In case it appears by the census return taken under such resolution or any statute that a village contains over four hundred inhabitants the village may be erected into a town municipality subject to the provisions hereinafter contained.

Necessary  
population  
for incor-  
poration as  
town

"79c. No village shall be erected into a town municipality unless and until a resolution has been approved by two-thirds of the ratepayers voting thereon at a meeting specially called for the purpose.

Resolution  
of village

"(2) The said resolution shall state limits of the proposed town which may include additional lands adjacent to the village.

"(3) The voting on the said resolution shall be held in the same manner as the voting for election of overseer.

"79d. The overseer of the village shall upon the passing of such resolution post up a notice in five public places in the village and insert the same in two consecutive issues of the official gazette and in four consecutive weekly issues of a newspaper published in or nearest to the village setting forth in the notice the intention of the overseer to apply on behalf of the village to the Lieutenant Governor in Council for the erection of the village into a town municipality and stating the limits intended to be included therein.

Notice to  
be posted

"79e. At any time not less than one month nor more than two months after the last publication of the said notice the overseer may apply to the Lieutenant Governor in Council for the erection of the village into a town municipality and shall with the application furnish satisfactory proof of the census, resolution and publication and posting of notice aforesaid and thereupon the Lieutenant Governor may by proclamation erect the village into a town municipality by a name to be given thereto in the proclamation.

Proclama-  
tion erect-  
ing village  
into a  
town

"79f. The Lieutenant Governor in Council may include in the new town any lands not included in the village but adjacent thereto and within the limits mentioned in the aforesaid notice.

Lands not  
included in  
village  
may be  
added

"79g. From and after the erection of any village into a town municipality as hereinbefore provided all of the provisions of *The Town Act* shall apply hereto.

Town Act  
to apply

"79h. The council of the village shall until the election of a council for the town under the provisions of *The Town Act* be deemed to be the council for the town and shall have all the powers and be charged with all the duties of a town council and all the officers of the village shall be and become officers of the town and shall hold office until their successors are appointed.

Village  
council  
continued  
until elec-  
tion of  
town coun-  
cil

"79i. All books, accounts, records, lists, vouchers, moneys and all other properties of the village shall forthwith on demand of the secretary-treasurer be delivered by the person last holding them to the said secretary-treasurer who shall for the purpose of receiving the said books, accounts, records, vouchers, moneys and other property be deemed to be the successor in office of the secretary-treasurer of the village.

Property to  
be delivered  
to Secre-  
tary-treas-  
urer

"79k. All provisions of *The Village Act* and amendments thereto respecting the prevention of disease and fire, billiard and dog licenses, licensing travelling showmen and entertainers, hawkers and pedlars, and animals running at large and all resolutions passed and regulations made thereunder having

Certain  
provisions  
of Village  
Act to be  
by-laws

force and effect in the village at the date of its erection into the town municipality, all provisions for the collection of such license fees and for penalties for the infraction of any of the said provisions or regulations shall continue in full force in the town municipality as by-laws of the said town municipality until amended or repealed by by-laws passed by the council.

"79l. All taxes due to the village shall on its erection into a town municipality be deemed to be arrears of taxes due to such municipality and the provisions of the said Act relating to arrears of taxes and the collection thereof shall apply thereto. Village taxes to be paid to town

"79m. All suits and rights of action by or against the village shall after its erection into the town municipality be continued or maintainable by or against the town municipality and all debts and liabilities of the village be assumed and paid by the town municipality. Suits and rights of action and liabilities continued

"79n. The title to and all rights in respect of any real estate or other property of the village shall be vested in the town municipality upon the erection of the village into a town municipality. Title to property of village to pass to town

79o. The Lieutenant Governor in Council may, upon the recommendation of the Minister, if satisfied that the provisions of this Act respecting the erection of villages into towns have been substantially complied with, notwithstanding any defect, irregularity or want of form in any of the proceedings incident to the erection of any village into a town, proclaim the same a town municipality." Lieutenant-Governor in Council may waive irregularity

21. *The Local Improvement Act*, being chapter 11 of the Statutes of Alberta, 1907, is amended as follows: Cap. 11 of 1907 amended

Section 2: By striking out the words "Minister of Public Works" in clause 1 thereof and substituting therefor the words "Minister of Municipal Affairs." Section 2 amended

(2) By striking out all words after the word "of" in clause 2 thereof and substituting therefor the words "Municipal Affairs."

(3) By adding to said section the following:

"25. 'Territorial unit' means any portion of the province included within the limits of a municipality proposed to be organized under *The Rural Municipality Act*, as shown on the map referred to in section 9 of the said Act, and not organized as a municipality or district and excluding therefrom the area of any city, town or village established therein." Territorial unit

(2) By repealing sections 3 to 8 inclusive and substituting therefor the following: Sections 3 to 8 repealed

"3. Every district then existing under the provisions of this Act shall on, from and after the second Monday in December, 1912, become and be disorganized and cease to exist as a district." Disorganization of district

"Provided that the person who was secretary of each such district shall continue to collect such taxes as were immediately before such disorganization due such district until notified by the Minister to cease, whereupon he shall hand over to the secretary of the district or districts or of the rural municipality or rural municipalities, as the case may be, entitled thereto according to the adjustment made of the assets and liabilities of the district disorganized, as hereinafter provided, all taxes so received by him and all other moneys which he may have in his possession or under his control apportioned to any township that was comprised in the district so disorganized and shall forward a statement thereof to the Minister:

"Provided further that such person shall in the year 1913 compile the return of arrears mentioned in section 91 hereof



and for such service and any other service performed by him after said second Monday in December, 1912, he shall be paid rateably by the districts and rural municipalities that include any township or part thereof that formed a part of the district so disorganized:

"And provided further that such person shall retain and be accountable for the safe keeping of the funds, books, records and documents that belonged to the district so disorganized until the Minister notifies him what disposition to make thereof.

"4. Every council shall before the fifteenth day of November, 1912, or such later date as the Minister may determine, wind up the affairs of the district, settle and adjust all its assets and liabilities and apportion the same fairly and equitably among the townships included in such districts. Winding up  
of district

"5. Every council shall not later than the said fifteenth day of November, 1912, forward to the Minister a statement showing in detail the outstanding assets and liabilities of the district and the apportionment thereof among the townships included in such district. Statement  
to be for-  
warded to  
minister

"(2) For the purpose of winding up the affairs of the district, every council may sell and dispose of by public auction or private sale any personal property belonging to such district.

"6. Every council shall cause a notice, in the form herein prescribed, to be published in two consecutive issues of *The Alberta Gazette* and once a week for four consecutive weeks in some newspaper published in the district, or if there be no newspaper published therein in the newspaper whose publication is nearest thereto; the last publication of such notice shall not be later than the first day of November, 1912. Notice to  
file clause

"(2) Any person who fails or omits to forward to the secretary of the district before the seventh day of November, 1912, as aforesaid, particulars of his claim against such district shall be debarred of his right to recover the same from such district or from any other district liable for the liabilities of such first mentioned district.

"(3) Such notice shall be in the following form:

"NOTICE.

"Local Improvement District No. (*give number*).

"Notice is hereby given that all persons having claims against Local Improvement District (*give number*) are required to send particulars of such claim to (*name and post office address of secretary*), the secretary of said district, before the seventh day of November, 1912, and that any person who fails to or omits to do so shall be debarred of his right to recover the same from said district or any other district that may be liable for the liabilities thereof.

"Dated at.....this.....day of.....  
19....

".....

"Secretary,

"Local Improvement District (*give number*).

"7. In case the council shall disagree as to the proper adjustment, settlement or apportionment of the assets and liabilities of the district among the townships included therein the Minister may appoint one or more persons who shall have power to adjust, settle and apportion among such townships the assets and liabilities of the district and such person or persons shall have access to all books, records, papers and documents belonging to the district and any adjustment, settlement or apportionment made by such person or persons shall be binding on the Minister to  
settle dis-  
putes

district and on the townships thereof; such person or persons shall receive such remuneration from the district as the Minister may determine, and the person or persons so appointed shall have power to require the attendance during the course of such adjustment, settlement or apportionment of any councillor or officer of the district or of any other person whose presence he or they may deem necessary and shall have the same power as is exercisable by any judge or court in civil cases to compel the attendance of any such councillor, officer or other person before him or them, to compel the production of documents and to take evidence under oath.

"8. The Minister may by order—

Reorganiza-  
of districts

"(a) Constitute any territorial unit a district, assign a name and number thereto, divide the same into divisions as nearly as may be of uniform shape and area, and assign to each division a number;

"(b) From time to time change the name or number of any district;

"(c) From time to time change the boundaries of any or all of the divisions of any district;

"(d) Whenever any area within a district is constituted a village under the provisions of *The Village Act*, being chapter 10 of the Statutes of Alberta, 1907, or any Act passed in amendment or substitution thereof, or included within the limits of a town or city, withdraw such area from the district and adjust all assets, rights, liabilities and matters between the district and such village, town or city;

"(2) Any order made under clause (a) of this section shall take effect only on, from and after the second Monday of December next following the date of such order.

"8a. Whenever any district, constituted on or after the said second Monday in December, 1912, includes a township or townships that theretofore formed a part of a district all the assets and liabilities apportioned to each such township shall respectively be used for the benefit of and be a charge upon such township alone:

Adjustment  
of assets  
and liabilities

"Provided, however, that save as between such township and district, so constituted, such assets and liabilities shall be deemed to be the assets and liabilities of the district:

"Provided further that all arrears of taxes apportioned to any such township may be collected by such district in all respects as though such arrears were originally due to such district:

"And provided further that such district may by a special rate or rates levy on such township such tax as may be necessary to raise a sum sufficient to discharge any liability apportioned to such township."

(3) Section 18: By striking out the words "A Judge of the Supreme Court" after the word "for" in the ninth line thereof, and substituting therefor the words "The judge of the District Court of the judicial district within which the district is wholly or partly situate, or if the district is equally situate within more than two judicial districts for the judge of the District Court of any such judicial district."

Section 18  
amended

(4) Section 78: By striking out after the word "in" in the 4th line thereof the words "municipality, district or village" and substituting therefor the words "city, town, village, rural municipality or district."

Section 78  
amended

(5) Section 87: By inserting after the word "Minister" in the fourth line thereof the words "of Public Works."

Section 87  
amended

(6) Section 91: By striking out the words "of Public Works" after the word "Minister" in the second line of subsection 4 thereof. Section 91  
amended

(7) Section 92: By striking out the words "A judge of the Supreme Court in Chambers" after the word "to" in the second line thereof, and substituting therefor the words "the judge of the District Court of the judicial district within which such local improvement district is wholly or partly situated, or if such district is equally situate within more than two judicial districts to the judge of the District Court of any such judicial district." Section 92  
amended

(8) Section 93: By striking out the words "of public works" after the word "Minister" in the first line of the proviso to section 1 thereof.

**22. The Vital Statistics Act**, being chapter 13 of the Statutes of Alberta, 1907, is amended as follows: Cap. 13 of  
1907 am-  
ended

Section 2: By adding thereto the following:

"(5) The expression 'camp or mine' means and includes any lumber, saw mill, railway or other construction camp, railway camps or any other maintenance work, quarries, mines, smelting or cement work situated outside of the limits of any city, town or village."

Section 2  
amended

Section 18: By adding thereto the following:

"(2) Where a death occurs in any camp or mine, before interment of the body, the owner, manager or other person in charge shall report such death to the Department on Form C in the schedule to this Act, together with such additional information as may from time to time be required by the Minister."

Section 18  
amended

Section 21: By adding thereto the following:

"Provided that where a coroner's inquiry or inquest is held in connection with any death, it shall be the duty of such coroner to sign the certificate of the cause of death."

Section 21  
amended

**23. The Game Act**, being chapter 14 of the Statutes of Alberta, 1907, is amended as follows: Cap. 14 of  
1907 am-  
ended

Section 4, as amended by chapter 13 of the Statutes of Alberta, 1910 (Second Session): By striking out the figures "1912" and substituting therefor the figures "1915."

Section 4  
amended

Section 5, as amended by chapter 13 of the Statutes of Alberta, 1910 (Second Session); by adding after the word "in" in the first line of subsection 7 hereof the words "or place, in cold storage."

Section 5  
amended

Section 6: By adding thereto the following:

"(2) No person shall at any time destroy, partially destroy, or leave open, the house of any muskrat or beaver;

Section 6  
amended

"(3) No person shall at any time interfere with or destroy any beaver dam; provided, however, that the Lieutenant Governor in Council may authorize the destruction of any beaver dam or house, or may authorize the taking or killing of any fur-bearing animal and the disposition of the same where such taking or killing or disposition is deemed to be in the public interest.

"(4) No person shall at any time use or set poison for the killing of fur-bearing animals."

Section 18, as amended by chapter 13 of the Statutes of Alberta, 1910 (Second Session): By striking out after the word "person" in the second line of the proviso in the said section Section 18  
amended

contained, the words "who does not reside in a city, town or village" and substituting therefor the words "actually in occupation of any farm or the son or step-son of any such person."

By adding immediately after section 19b the following:

"19c. The Lieutenant Governor in Council may authorize the refund to any treaty Indian of the amount paid by him for any license under the provisions of this Act upon a certificate being furnished by any Indian agent under his hand that such person is a treaty Indian on the Reserve under his control."

Refund to  
treaty  
Indians

24. *The Noxious Weeds Act*, being chapter 15 of the Statutes of Alberta, 1907, is amended as follows:

Section 2: By adding to subsection 6 thereof the following:

"And for the purposes of this Act the council of any city, town or village shall be deemed to be the owner of all land within the boundaries of such city, town or village respectively."

Section 4: By striking out the word "the" before the word "land" in the fifth line thereof.

Section 13: By striking out the words "five seeds" after the word "than" in the fifth line thereof and substituting therefor the words "one seed"; and

By striking out the word "thousand" after the word "per" in the fifth line thereof and substituting therefor the word "ounce."

By adding to said section the following: "No person shall sell or otherwise dispose of or offer for sale, or other disposal, any grain intended for the purpose of feed, in which there are more than ten noxious weeds to every ounce of such grain."

25. *The Educational Tax Act*, being chapter 18 of the Statutes of Alberta, 1907, is amended as follows:

Cap. 18 of  
1907 am-  
ended

By striking out the words "Minister of Public Works," "Tax Commissioner of the Department of Public Works," or "Tax Commissioner of the Public Works Department," wherever the same occur therein, and substituting therefor the words "Minister of Municipal Affairs."

Minister of  
municipal  
affairs giv-  
en certain  
powers

(2) By striking out the words "Department of Public Works" wherever the same occur therein, and substituting therefor the words "Department of Municipal Affairs."

Depart-  
ment of  
municipal  
affairs giv-  
en certain  
powers

(3) Section 11: By repealing same and substituting therefor the following:

Section 11  
amended

"11. The Minister shall during the month of January in each year prepare a separate statement, to be known as 'the tax enforcement return,' and the said Minister shall enter in such return the following information in the columns provided for the purpose:

Tax en-  
forcement  
return

"(a) The name and post office address of each person whose name appears on the last revised assessment roll and who has not paid all taxes due by him thereunder for the year next preceeding the preparation of the said roll, or for any former year;

"(b) A description of each lot or parcel of land for which each such person is assessed;

"(c) A statement of the taxes due by each such person on each lot or parcel of land for which he is assessed, including the taxes of the next preceding year and showing the years for which all such taxes were levied.

"11a. The said return shall for all purposes be *prima facie* evidence of the validity of the assessment and imposition of the taxes, as shown therein, and that the steps and formalities prescribed by this Act have been taken and observed."

Return evidence of validity of assessment

4. Section 12: By striking out the words "a judge of the Supreme Court in Chambers" in the second and third lines thereof, and substituting therefor the words "a judge of the District Court of the judicial district within which such lands are wholly or partly situated, or if such lands are equally situated, within more than two judicial districts, to the Judge of the District Court of any of such judicial districts."

Section 12 amended

(4) Section 17: By repealing same and substituting therefor the following:

Section 17 repealed

"17. The moneys levied under this Act shall be paid over to the Provincial Treasurer, as collected, to be dealt with as provided by *The Treasury Department Act*, being chapter 5 of the Statutes of Alberta, 1906, or any Act passed in amendment or substitution thereof. in that behalf, and all moneys now in hand or collected in future shall be appropriated and expended solely for the benefit of Education in the province, as may be directed from time to time by the Legislative Assembly:

"Provided, however, that the expense incidental to the assessment and collection of the taxes hereunder shall be a first charge upon the same."

(5) Section 17a: By repealing same.

Section 17a repealed

26. *The Corporations Taxation Act*, being chapter 19 of the Statutes of Alberta, 1907, is amended as follows:

Cap. 19 of 1907 amended

Section 2: By repealing clause (j) thereof and substituting therefor the following:

Section 2 amended

" 'Minister' means the Provincial Secretary for Alberta."

(2) By striking out the words "Treasurer, Provincial Treasurer or Treasurer of the Province" wherever the same occur in the said Act and substituting therefor the word "Minister."

Minister substituted for treasurer

27. *The Legal Profession Act*, being chapter 20 of the Statutes of Alberta, 1907, is amended as follows;

Cap. 20 of 1907 amended

Section 34: By adding after the word "reputations" in the fourth line thereof the words "and upon presentation of the certificate of the clerk of the court referred to in section 35a hereof."

Section 34 amended

(2) By adding immediately after section 35 the following:

Section 35a added

"35a. Every person before being enrolled shall take and subscribe before a judge or judges of the Supreme Court of Alberta, in open court, the following oath of affirmation:

"I,....., do without equivocation, mental evasion or secret reservation, sincerely promise and swear:

"1. That I will be faithful and bear true allegiance to His Majesty King George the Fifth (*or the reigning sovereign for the time being*) as lawful sovereign of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas; and that I will defend Him to the utmost of my power against all traitorous conspiracies or attempts whatsoever which may be made against his person, crown and dignity; and that I will do my utmost endeavour to disclose and make known to His Majesty, his heirs or successors, all treasons, traitorous conspiracies or attempts which I may know to be made against him or any of them;

"2. That I will, as a barrister and solicitor, conduct all causes and matters faithfully, and to the best of my ability; I will not seek to destroy any man's property; I will not be guilty of champerty or maintenance; I will not promote suits upon frivolous pretences; I will not pervert the law to favour or prejudice any man, but in all things conduct myself truly and with integrity, in fine, the King's interest and my fellow-citizens' I will uphold and maintain according to the law in force in this province.

"(2) Any person who has become entitled to be admitted to practice as a barrister and solicitor and has complied with the provisions of this Act and the regulations of the society, shall receive from the secretary a certificate under his hand and the seal of the society directed to a clerk of the Supreme Court.

"(3) On presentation to the secretary of the society of a certificate signed and sealed by the clerk of the Supreme Court that the person named therein was on a certain day (naming it) duly sworn in before one or more of the judges of the Supreme Court in open court, the name of such person shall be entered on the roll of barristers and solicitors for the Province of Alberta.

"35b. The books containing the roll of barristers and solicitors for the Province of Alberta shall be and remain in the custody of the society. Such roll shall during office hours be open to the inspection of any person without fee or reward."

Admission  
Section 35b  
added  
Rolls of  
Society

28. Chapter 14 of the Statutes of Alberta, 1908, being *An Act respecting Government Telephone and Telegraph Systems*, is amended as follows:

Cap. 14 of  
1908 am-  
ended

Section 2: By repealing same and substituting therefor the following:

Section 2  
repealed

"2. For the purposes mentioned in this Act and in exercise of any power conferred upon him the Minister of Railways and Telephones by his surveyors, engineers, agents, workmen or servants may at any and all times enter upon and take, use or acquire any lands or property in whomsoever vested and shall have full power and authority through such officers, agents and servants to do all acts and things on or in relation to any such land or property which he deems necessary, advisable or expedient in order to carry out any authority or power conferred upon him by this Act:

Powers of  
minister

"Provided that the Minister shall, whenever required so to do, make reasonable compensation to the owner or owners or persons interested in any land or property, which he may enter upon, take, use or acquire as provided by this section and for all damages sustained by such owner or owners or persons in or by the execution of all or any of the powers conferred upon the said Minister; and in case the amount of the said compensation cannot be mutually agreed upon by the Minister and the said owner or owners or persons interested the same shall be determined in the manner provided by *The Arbitration Act*, being Chapter 6 of the Statutes of Alberta, 1909, or any Act passed in amendment or substitution thereof."

29. *An Act respecting Gaols and Prisons*, being chapter 15 of the Statutes of Alberta, 1908, is amended as follows:

Cap. 15 of  
1908  
amended

By adding thereto the following:

"6. The Provincial Secretary may, at his discretion, provide any prisoner discharged from any of the gaols of the province with transportation to his home, or the home of his parents, or with a suitable outfit of clothes, and may authorize the purchase of books for a library for any said gaols and the purchase

Section 6  
added  
Power to  
provide  
transporta-  
tion, etc.

of materials and equipment for the conduct of classes for the instruction of prisoners, or the establishment of a prison farm in connection with any such gaol, all of which may be paid out of any funds to be voted by the Legislature for this purpose."

**30.** *The Alberta Election Act*, being chapter 3 of the Statutes of Alberta, 1909, is amended as follows: Cap. 3 of  
1909 am-  
ended

The schedule to the said Act is amended as follows: Schedule  
amended

By striking out the figures "\$10.00" in tariff A therein and substituting therefor the words and figures "10 cents."

**31.** *The Children's Protection Act of Alberta*, being chapter 12 of the Statutes of Alberta, 1909, is amended as follows: Cap. 12 of  
1909  
amended

Section 2: By adding after the word "city" in clause (g) thereof the words "whether incorporated by special Act or otherwise." Section 2  
amended

(2) By adding immediately after section 16 the following: Section 16  
added

"16a. Municipal councils in cities, towns and incorporated villages may pass by-laws regulating and controlling and licensing children engaged as—

"(a) Express or dispatch messengers;

"(b) Vendors of newspapers and small wares;

"(c) Bootblacks.

Power to  
regulate  
children  
engaged in  
street  
trades

"(2) No license fee imposed hereunder shall exceed the sum of 50 cents per annum, and no child engaged in two or more of the said occupations shall be compelled to take out more than one license, nor pay more than one license fee.

"(3) No such license shall be granted to any female child, nor to any male child under the age of 12 years, nor to any male child of the age of 12 years but under the age of 14 years, unless such child shall present written authority from his parent or guardian authorizing him to make application for a license for the purpose of engaging in any of the above named occupations.

"(4) No licensee under this section shall be permitted to engage in any occupation for which he is licensed within the limits of the municipality after the hour of 8 o'clock in the evening, in the months of December, January and February, or after the hour of 9 o'clock in the evening throughout the rest of the year, or during school hours."

**32.** Chapter 14 of the Statutes of Alberta, 1909, being *An Act to Authorize the Guarantee of certain Securities of the Canadian Northern Railway Company*, is amended as follows: Cap. 14 of  
1909  
amended

Section 7: By striking out after the word "the" in the third line thereof the words "remainder of the." Section 7  
amended

By adding after the word "lines" in the fourth line "set forth in clauses 1 and 4 of the first part of the schedule hereto, and in clause 2 of the second part of the schedule hereto."

By adding after the figures "1911" in the fifth line thereof the words "and the remainder of the said lines shall be completed and ready for traffic on or before the 31st day of December, 1912."

(2) The schedule to the said Act is amended as follows: Schedule  
amended

"By striking out the words and figures 'about 65' in the second line of clause 2 of the said second part, and substituting therefor the words and figures "seventy-two and forty one-hundredths (72.40)."

**33.** Chapter 15 of the Statutes of Alberta, 1909, being *An Act to Authorize the Guarantee of certain Securities of the Grand Trunk Pacific Branch Lines Company*, is amended as follows: Cap. 15 of  
1909  
amended

Section 7: By striking out the figures, "1911" in the fourth line thereof and substituting therefor the figures "1912." Section 7  
amended

**34.** *The Creditors' Relief Act*, being chapter 4 of the Statutes of Alberta, 1910 (Second Session), is amended as follows: Cap. 4 of  
1910 (Sec-  
ond Ses-  
sion) am-  
ended

Section 4: By adding after the word "in" in the second line of subsection 3 thereof the words "a large debt case before judgment or." Section 4  
amended

"(b) By striking out after the word "into" in the second line 2. By striking out after the word "into" in the second line of subsection 5 thereof the words "a district," and by substituting therefor the word "any," and by striking out after the word "court" in the said second line the words "in a small debt action."

"(c) By striking out after the word "him" in the third line of subsection 8 thereof all the words of the said subsection and by substituting therefor the following: "and the clerk of any court shall not pay to the creditor attaching a debt before judgment in a large debt case or to a creditor attaching a debt in a small debt case any moneys recovered by the garnishee proceedings unless such attaching creditor produces a certificate from the sheriff of the district that there is no execution in his office against the goods or lands of the debtor."

**35.** *The Truancy Act*, being chapter 8 of the Statutes of Alberta, 1910 (Second Session), is amended as follows: Cap. 8 of  
1910 (Sec-  
ond Ses-  
sion) am-  
ended

Section 5: By striking out after the word "within" in the third line of clause (g) thereof the words "one month" and substituting therefor the words "five days." Section 5  
amended

(2) Section 7: By adding to subsection (2) thereof the following:

"And may make such rules, not inconsistent with the provisions of this Act for the direction of such truant officer or officers, and the enforcement of this Act.

"The Minister may also appoint an officer to be known as the provincial truant officer, to have jurisdiction in all parts of the province where truant officers are not appointed under this section and the duties of said provincial truant officer may be defined and his remuneration fixed by the Minister."

(b) By striking out after the word "direct" in the fifth line of subsection 9 thereof all the words of the said subsection. Section 9  
amended

(3) Section 9: By adding after the word "who" in the third line of subsection 1 thereof the words "within five days."

**36.** *The Public Health Act*, being chapter 17 of the Statutes of Alberta, 1910 (Second Session), is amended as follows: Cap. 17 of  
1910 (Sec-  
ond Ses-  
sion) am-  
ended

Section 2: By striking out after the word "Minister" in clause 8 thereof all the words of the said clause and substituting therefor the words "of Agriculture." Section 2  
amended

(2) Section 3: By repealing same and substituting therefor the following: Section 3  
amended

"The Lieutenant Governor in Council shall appoint a board of health for the province to be known as the provincial board of health, consisting of the provincial medical officer of health, who shall be chairman, the provincial sanitary engineer, and the provincial bacteriologist."



(3) Section 9: By adding thereto the following:

Section 9  
amended

"(2) The council of any village shall have power to borrow from any person, bank or corporation any moneys necessary for the effectual carrying into effect of the provisions of this section.

"(3) Any moneys heretofore borrowed by the council of any village are hereby declared to have been lawfully borrowed and the debts created thereby to be as valid and binding upon such council as if such moneys had been borrowed prior to the passing of this amending Act."

(4) Section 25: By adding thereto the following:

Section 25  
amended

"(2) Nothing herein contained shall apply to any such by-law, order, rule or regulation made under the authority of any other Act or Ordinance as aforesaid, if the same has been approved by the Minister."

(5) Section 29: By striking out the word "with" in the last line thereof and substituting therefor the word "and."

Section 29  
amended

**No. 85**

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**THIRD SESSION**  
**SECOND LEGISLATURE**  
**2 GEORGE V**  
**1912**

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**BILL**

**An Act to amend the Statute Law.**

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**Received and read the**

**First time . . . . .**

**Second time . . . . .**

**Third time . . . . .**

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**MR. MITCHELL**

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**EDMONTON:**  
**JAMES E. RICHARDS, Government Printer**  
**A.D 1912**