

BILL

No. 45 of 1918.

An Act to amend The Libel and Slander Act.

(Assented to _____, 1918.)

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

1. Chapter 7 of the Statutes of Alberta, 1915, is repealed.

2. *The Libel and Slander Act*, being chapter 12 of the Statutes of Alberta, 1913 (Second Session), is amended by inserting the following section as section 11, subsection 1, thereof:

“11. In an action for libel contained in a newspaper the defendant may at any time after the delivery of the statement of claim apply to a judge of the court in which the action is taken for security for costs, by notice of motion which shall be supported by an affidavit of the defendant or his agent, showing the nature of the action and of the defence, that the defendant has a good defence upon the merits, as the deponent is advised and believes; that the plaintiff is not possessed of property sufficient to answer the costs of the action in case a judgment is given in favour of the defendant; that the statements complained of were published in good faith or that the grounds of action were trivial or frivolous; and the judge, upon a perusal of all material in support of and in opposition to the matter, in his discretion may make an order that the plaintiff shall give security for costs, which shall be given in accordance with the practice in cases where the plaintiff resides out of Alberta, and the order shall be a stay of proceedings until the security is given.”

No. 45.

FIRST SESSION
FOURTH LEGISLATURE
8 GEORGE V
1918

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An Act to amend The Libel and
Slander Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. CROSS.

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A.D. 1918