

# BILL

No. 63 of 1919.

An Act to amend The Factories Act, The Liquor Act, The Soldiers' Home Tax Exemption Act, and certain other Acts and Ordinances.

(Assented to , 1919.)

**H**IS 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*."

2. *The Municipal Hail Insurance Act*, being chapter 20 of the Statutes of 1918, is amended as follows:

1. By adding to clause (a) of section 2 thereof the following proviso:

"Provided, however, that for the purposes of this Act the word "occupant" shall, in addition to the meaning and interpretation assigned to it under *The Municipal District Act*, include any person claiming an interest under agreement of sale or lease, in land not exempt from taxation."

2. By inserting after the word "within" where it occurs in the first line of subsection 3 of section 6 thereof the words "or without" and by inserting after the word "within" where it occurs in the third line of subsection 4 the words "or without".

3. *An Act respecting the Assessment and Collection of Taxes in the Town of Stettler*, being chapter 24 of the Statutes of 1913 (First Session), is amended by adding to the first section thereof the following proviso:

"Provided, however, that in respect to the taxation for school purposes of property situate outside the limits of the Town of Stettler, the like provisions shall apply on and after the first day of January, A.D. 1920, as if this Act had not been passed."

4. *An Act respecting Subdivisions*, being chapter 15 of the Statutes of 1916, as amended by chapter 45 of the

Statutes of 1918, is further amended by inserting after the word "person" where it occurs in the sixth line of subsection 2 of section 2 thereof the following words:

"and may make such order as to the vesting or revesting of any land included in such plan as it may think fit."

**5.** *An Act to authorize the Guarantee of Certain Securities of the Edmonton, Dunvegan and British Columbia Railway Company*, being chapter 27 of the Statutes of 1914, is amended as follows:

1. Section 7: By striking out the words and figures "the first day of October, 1919", where they occur in the last line thereof, and substituting therefor the words and figures "the thirty-first day of December, 1920".

**6.** *An Act to authorize the Guarantee of Certain Securities of the Edmonton, Dunvegan and British Columbia Railway Company*, being chapter 21 of the Statutes of 1915, is amended as follows:

1. Section 5: By striking out the figures "1918" where they occur in the last line thereof and substituting therefor the figures "1919".

**7.** *An Act to authorize the Guarantee of Certain Securities of the Central Canada Railway Company*, being chapter 28 of the Statutes of 1914, is amended as follows:

1. Section 5: By striking out the figures "1918" where they occur in the last line thereof and substituting therefor the figures "1919".

**8.** *An Act to authorize the Guarantee of Certain Securities of the Central Canada Railway Company*, being chapter 7 of the Statutes of 1913 (Second Session), is amended as follows:

1. Section 7: By striking out the figures "1918" where they occur in the last line thereof and substituting therefor the figures "1919".

**9.** *An Act to incorporate the Central Canada Railway Company*, being chapter 46 of the Statutes of 1913 (First Session), is amended as follows:

1. Section 10: By striking out the word "six" where it occurs in the third line thereof and substituting therefor the word "seven".

**10.** *An Act respecting the Alberta and Great Waterways Railway Company*, being chapter 6 of the Statutes of 1913 (Second Session), is amended as follows:

1. Section 5: By striking out the word "five" where it occurs in the fifth line thereof and substituting therefor the word "six".

**11.** *An Act to authorize the Guarantee of Certain Securities of the Canadian Northern Western Railway Company*, being chapter 19 of the Statutes of 1911-12, as amended, is amended as follows:

1. Section 7: By striking out the figures "1918" where they occur in the seventh line thereof and substituting therefor the figures "1919".

**12.** *An Act respecting the Guarantee of Certain Securities of the Canadian Northern Western Railway Company*, being chapter 20 of the Statutes of 1915, is amended as follows:

1. Section 6: By striking out the figures "1918" where they occur in the last line thereof and substituting therefor the figures "1919".

**13.** *An Act to authorize the Guarantee of Certain Securities of the Canadian Northern Railway Company*, being chapter 14 of the Statutes of 1909, is amended as follows:

1. Section 7: By striking out the figures "1918" where they occur therein and substituting therefor the figures "1919".

**14.** *An Ordinance to Incorporate Alberta College*, being chapter 25 of the Ordinances of 1904, is amended as follows:

1. By adding after section 9 the following section:

"9a. The said college shall also have power to confer the honorary degree of Doctor of Divinity upon ordained ministers, and may make by-laws and regulations touching any matter or thing pertaining to the conditions on which said degree may be conferred."

**15.** *The Department of Municipal Affairs Act*, being chapter 11 of the Statutes of 1911-12, as amended is amended as follows:

1. By striking out the word "municipal" in the second line of section 5 thereof and substituting therefor the word "tax".

**16.** *The Married Women's Relief Act*, being chapter 18 of the Statutes of Alberta, 1910 (Second Session), is hereby amended as follows:

1. By inserting in section 2 thereof, immediately before the word "dies" in the first line of the said section, the words "has hitherto died or who hereafter".

2. By repealing section 12 thereof, and substituting therefor the following:

"12. If the application be made after the expiration of six months from the death of the husband the allowance, if any, shall be made so as to affect only such beneficiaries under the will as are interested in such portion of the estate as at the date of the application remains unadministered in the hands of the executors or administrators or undistributed in their hands as trustees under the will."

17. *The Railway Act*, being chapter 8 of the Statutes of Alberta, 1907, is amended as follows:

1. By striking out the words "of Public Utility Commissioners" wherever they occur therein.

2. By repealing, as from the date of its enactment, the amendment thereto, being clause 1 of section 23 of *An Act to amend the Statute Law*, being chapter 4 of the Statutes of Alberta, 1918.

3. Section 2: By adding thereto the following new clause:

"23. 'Board' shall mean the Board of Public Utility Commissioners."

4. Section 23: By adding thereto the following words:

"Any director ceasing to own ten shares of stock in manner aforesaid during his term of office shall *ipso facto* be disqualified and cease to be a director."

5. Section 25: By striking out the words "In case of the death, absence or resignation" and substituting therefor the words "In case of the death, absence, resignation or disqualification"; and by striking out the words "such death, absence or resignation" and substituting therefor the words "such death, absence, resignation or disqualification".

6. Section 133: By striking out the word "Minister" wherever it occurs therein, and substituting therefor the word "Board".

7. Section 192: By adding to subsection 4 thereof the following:

"The board may make regulations with respect to the use on any engine of nettings, screens, grates, and other devices which may be deemed by the board necessary and most suitable to prevent, as far as possible, fires from being started, or occurring upon, along or near the right-of-way of any railway subject to the provisions of this Act."

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

1. By adding to section 38 thereof the following subsection:

"(12) The council shall admit upon the register any person who is a graduate of any medical school or college, or the faculty of medicine of any university in Canada having the power or authority to confer the degree of Bachelor of Medicine or Doctor of Medicine, and has obtained such degree, and having been a resident of Alberta on the fourth day of August, A.D. 1914, has served in His Majesty's military forces overseas in the present European War without requiring such person to pass any test examination."

2. By striking out of section 35 thereof the words "osteopathy or homeopathy" wherever the same occur in subsections 1, 2, 6 and 8 of that section and substituting in lieu thereof the words "homeopathy, osteopathy, or any non-drug science, therapy or system of practice".

3. By striking out the proviso to section 37a and substituting therefor the following:

"Provided that the General Medical Council of the United Kingdom shall, for the purposes of *The British Medical Act, 1886*, recognize the diploma or diplomas granted, after examination in medicine, surgery, and midwifery, by the North-West Territories Medical Council, the Alberta Medical Council, or the University of Alberta, as furnishing a sufficient guarantee for the efficient practice of these branches of medicine."

4. By striking out of section 66 the words "osteopathy or homeopathy" where they occur therein and substituting therefor the words "homeopathy, osteopathy or any non-drug science, therapy or system of practice".

**19.** *The Prairie Fires Ordinance*, being chapter 87 of the Consolidated Ordinances of the Territories, 1898, is hereby amended by adding as section 11a the following:

"**11a.** The Chief Fire and Game Guardian may make regulations with regard to fireguards and the use thereof by railway companies, and as to the patrol of any line of railway and neighbouring land. Such regulations shall, unless the Lieutenant Governor in Council shall otherwise direct, conform as nearly as the circumstances of the case permit to the regulations issued by the Railway Board of Canada with respect to the same subject matter."

**20.** *The Dental Association Act*, being chapter 22 of the Statutes of Alberta, 1906, is amended as follows:

1. Section 5 is hereby amended by adding the words "time and" after the word "such" in the second line thereof and by striking out the words "on the second Monday of July" where they occur in the third line thereof.

2. Section 11 is hereby amended by adding the words "and at such times" after the word "place" in the second line thereof and by striking out the words "shall be held in the second Monday in January and July of each year and" where they occur in the sixth and seventh lines thereof.

3. Section 23 as enacted by section 8 of chapter 28 of the Statutes of 1911-12 is hereby amended by striking out the words and figures "one between the 1st and 15th of May, and the other between the 15th and 30th of September" where they occur in the third and fourth lines of clause (d) thereof.

4. Section 23 is hereby further amended by inserting in clause (f) thereof, immediately before the word "passes" in the fifth line of the second paragraph of the said clause the word "either", and by adding to the said paragraph the following: "or established to the satisfaction of the said Senate that he has served in His Majesty's military forces overseas in the present war, and was at the time of enlisting in the said military forces a resident of the Province of Alberta."

5. Section 40 is amended by adding thereto the following subsection:

"(2) The board of directors may invest, in the name of the association, any money not so expended in such securities as trustees may properly invest in, and the income derived therefrom shall form part of the ordinary income of the association."

**21.** *The Provincial Loans Act*, being chapter 10 of the Statutes of 1910 (Second Session), is amended as follows:

1. By striking out the word "to" in the second line of section 5 thereof.

**22.** *The University Act*, being chapter 7 of the Statutes of 1910 (Second Session), is amended as follows:

1. By inserting in clause 3 of section 28 thereof, after the word "retirement" in the fifth line of the said clause, the words "or to the widow or any other dependent of such person upon his death".

2. By striking out the words "Lieutenant Governor in Council" where they appear in the third line of subsection 2 of section 83 thereof and substituting therefor the words "Provincial Treasurer"

3. The said Act is also amended, as from the 30th day of June, 1919, as follows:

(a) By repealing section 13 as amended, and substituting therefor the following:

"**13.** The board shall consist of the Chancellor and the President of the University who shall be *ex officio* members thereof, and a chairman and six other persons appointed by the Lieutenant Governor in Council."

(b) By repealing section 15 as amended.

(c) By repealing sections 19 and 20 as amended and substituting therefor the following:

"**19.** The term of office of the chairman shall expire on the thirtieth day of June in each odd numbered year.

"(2) The term of office of the other first appointed members shall expire as follows: two on the thirtieth day of June, 1921; two on the thirtieth day of June, 1923; and the remaining two on the thirtieth day of June, 1925, and thereafter the term of office of each appointed member other than the chairman except as provided by section 25 shall expire on the thirtieth day of June of the sixth year after the expiration of the term of office of the member whom he is appointed to succeed.

"(3) Notwithstanding the expiration of the term of office of the chairman or any other appointed member, such member shall continue to hold office until his successor is appointed.

"**20.** There shall be an executive committee of the board consisting of the chairman, the president, and one other member of the board to be selected by the board annually.

"(2) The executive committee shall have authority, subject to the direction and control of the board, to perform all the administrative acts authorized to be performed by the board."

(d) By enacting in lieu of section 21 heretofore repealed the following section:

"21. The Board of Governors as at present constituted is hereby continued until its successors are constituted in the manner hereinbefore prescribed."

(e) By repealing the last proviso of clause 2 of section 28.

(f) By amending section 86 by inserting after the word "thereof" where it first occurs therein the words:

"Or for the purpose of improving the grounds or of making any other improvements of a permanent character."

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

1. By adding to clause 1 of section 2 thereof the following: "Common Barberry (*Berberis vulgaris*) and Toad Flax (*Linaria vulgaris* Hill)."

24. *An Act respecting Commissioners to Administer Oaths*, being chapter 11 of the Statutes of 1913 (Second Session), is amended as follows:

1. By adding to section 2 thereof the following subsection:

"(2) There shall be payable, in respect of each commission issued under this section a fee of \$5.00 when the person thereby appointed has his usual place of abode or business in any of the cities of Edmonton, Calgary, Medicine Hat or Lethbridge, and a fee of \$2.00 when such person has his usual place of abode or business in any other city, or in any incorporated town in the province."

25. *The Official Guardian Act*, being chapter 19 of the Statutes of 1917, is amended as follows:

1. By striking out clause (e) of section 2 thereof the words "and has continued to be unascertainable for a period of two years" where they appear in the second and third lines of the said clause.

2. By renumbering as sections 12 and 13 respectively the two sections enacted by section 5 of chapter 28 of the Statutes of 1918, being *An Act to amend the Official Guardian Act*, it being hereby declared that such sections were enacted as additional sections to the said Act, and not in substitution of sections 8 and 9 thereof.

3. By striking out the words "or missing person" where they appear in the first and in the second subsections of the section so renumbered as section 12.



4. By adding to the section, so renumbered as section 13, the following subsection:

"(2) For the purposes of this section the official guardian shall have power on order of a judge of the Supreme Court to mortgage, lease, sell or otherwise dispose of any of the real or personal property of such missing person; and upon the production of any instrument effecting any such disposition, together with the order aforesaid or a certified copy thereof, the registrar shall deal with such instrument in the like manner as if the same were executed by registered owner."

**26.** *The Alberta Evidence Act*, being chapter 3 of the Statutes of 1910 (Second Session), is amended as follows:

1. By adding thereto the following new section:

"58. The production of a certificate in writing signed by the officer in charge of estates of the Canadian Overseas Expeditionary Forces, or by the director or other head of the Record Office at the Military Headquarters, Ottawa, or by any officer designated by the Governor General in Council for that purpose, stating that the person named in the certificate was a member of the Canadian Expeditionary Forces, and died while overseas, and that he has been officially reported dead, shall be sufficient evidence of the death of such person for any purpose to which the authority of the Legislature of Alberta extends."

**27.** *The Public Highways Act*, being chapter 14 of the Statutes of 1918, is amended as follows:

1. By adding thereto, immediately after section 15 thereof, the following new section:

"16. Notwithstanding any provision of this Act, the Minister may authorize the expenditure of money in the construction or maintenance of any highway."

**28.** *The Motor Vehicle Act*, being chapter 6 of the Statutes of 1911-12, is amended as follows:

1. By adding to section 15 thereof the following subsection:

"(7) Upon any licensed chauffeur being convicted under the provisions of *The Liquor Act* of selling or having for sale any intoxicating liquor, the justice or magistrate shall forthwith notify the Provincial Secretary, who may thereupon revoke or suspend the license issued hereunder to such chauffeur."

2. By repealing section 45 thereof and substituting therefor the following:

“45. The Lieutenant Governor in Council may make regulations providing for the temporary suspension or modification of any of the provisions of sections 3, 5, 7, 8, 9 and 10, with respect to any person who is a resident of the United States of America or any Province of Canada, who has complied with the provisions of the law of the state or province in which he resides as to the registration of motor vehicles and the display of the registration number thereon, and in the case of a driver as to obtaining a license to drive.

“(2) This section shall apply to such person only to the extent to which under the laws of the said state or province in which he resides like exemptions and privileges are granted with respect to a motor vehicle registered under the laws of and owned by residents of Alberta.”

29. *The Factories Act*, being chapter 20 of the Statutes of 1917, is amended as follows:

1. By striking out from paragraph (m) of section 2 thereof the words “but shall not include any place where the only trade or business carried on is that of an hotel or a boarding house, but shall include restaurants”, where they appear in the sixth, seventh and eighth lines of the said paragraph, and by substituting therefor the following words: “and shall include an hotel or restaurant, but not a private boarding house”.

2. By inserting therein, immediately before section 27 thereof, the following new section:

“26a. Notwithstanding anything herein contained, the chief inspector, in any city or town having a population exceeding five thousand, may, upon the recommendation of the advisory committee appointed for such city or town under the provisions of the third subsection of this section make such regulations as may be deemed proper respecting the number of hours per day or per week during which any person may be required to work in any factory, shop, office or office building in such city or town, or respecting the

minimum wage at which any female person may be employed or both. Any such regulation may make different provisions touching the matter thereof, for different kinds of employment, and may, on the recommendation of the advisory committee, be varied, amended or repealed by subsequent regulation:

“Provided, however, that no such regulation shall allow a lower minimum wage or a greater number of hours of labour per week than is allowed by this Act.

“(2) All regulations of the chief inspector, made under the provisions of this section, shall be published in *The Alberta Gazette*, and shall thereupon become valid and binding and of the same force and effect as if the same formed part of this Act; and any violation thereof shall be deemed a violation of this Act, and punishable as such.

“(3) For the purposes of this section the Lieutenant Governor in Council may appoint in every such city or town, two persons, one to represent employees and the other to represent employers, and the persons so appointed together with a third person to be appointed by the Attorney General, shall constitute an advisory committee, and it shall be the duty of the said committee to make such recommendations as shall be deemed fair and just respecting hours of labour and wages as aforesaid.”

**30.** *The Interpretation Act*, being chapter 3 of the Statutes of 1906, is amended by adding to section 7 thereof the following new clause:

“61. Unless otherwise provided where any Act requires public records to be kept or any written process to be had or taken it shall be interpreted to mean that such records or such process shall be in the English language.”

**31.** *An Act respecting Inquiries Concerning Public Matters*, being chapter 2 of the Statutes of Alberta, 1908, is amended by adding as subsection 2 of section 2 the following:

“(2) Whenever any such commissioner is a judge he shall have the same power of committal for contempt and all such other disciplinary powers as he would have if he were sitting in the court of which he is a judge.”

**32.** *The Soldiers' Home Tax Exemption Act*, being chapter 40 of the Statutes of 1918 is amended as follows:

1. By inserting immediately before section 4 thereof the following new section:

“**3a.** The liability of any person or his legal representatives for any tax in respect of his home property imposed before the first day of January, A.D. 1918, but after such person had become a soldier, is hereby declared to have ceased and become extinguished.

“(2) Where any tax so imposed has been paid in whole or in part, the municipality or other taxing authority to which such payment has been made, shall retain and credit the amount so paid on account of any tax in respect of which such person or his estate may hereafter become or has heretofore become and still remains liable to such municipality or other authority:

“Provided, however, that if such person is not liable to the municipality or other authority in respect of any tax (or if there remains a balance after satisfaction thereof) and such person is not the owner or assessable occupant or holder of property taxable by such municipality or other authority, the amount remaining to the credit of such person shall be credited upon taxes which may hereafter be levied on such home property.”

**33.** *The Succession Duties Act*, being chapter 5 of the Statutes of 1914, is amended as follows:

1. By inserting therein immediately before section 29 the following new section:

"**28a.** The Provincial Treasurer in case any doubt or dispute arises as to the proper valuation to be placed upon any of the property of the deceased, may enter into an agreement with the applicant for probate or letters of administration (or as the case may be) as to the valuation to be placed on such property and any such agreement when approved by order of the Lieutenant Governor in Council shall be valid and binding upon all parties concerned."

2. By repealing subsection 2 of section 7 thereof.

**34.** *The Alberta Military Representation Act*, being chapter 12 of the Statutes of 1917, is amended as follows:

1. By adding to section 2 thereof the following subsection:

"(2) Notwithstanding any provision of *An Act respecting the Legislative Assembly of Alberta*, no member elected under the provisions of this Act shall be rendered ineligible as such on account of, or by reason of accepting or holding any office, commission, or employment or serving on any committee or commission to which a salary or any fee, allowance or emolument is attached in connection with or dealing in any way with any question or matter relating to returned soldiers."

**35.** *The Supreme Court Act*, being chapter 3 of the Statutes of 1907, is amended as follows:

1. By adding to subsection 2 of section 30 thereof the following proviso:

"Provided that in the event of illness or absence of any one of the judges so selected, or if for any other reason it may seem advisable, the Chief Justice may alter the selection so made, and select any other judge for the Appellate Division for all or any part of the said calendar year."

**36.** *The Entire Animals Ordinance*, being chapter 78 of the Consolidated Ordinances of the Territories, 1898, is amended as follows:

1. By striking out the sign and figure "\$5" where they appear in the ninth line of section 5 thereof and substituting therefor the following: "\$10 in the case of a stallion, and \$5 in the case of a bull", and by striking out the figure "25" where it appears in the said ninth line of section 5 and substituting therefor the figure "50".

37. Chapter 27 of the Statutes of 1913 (Second Session), being *An Act for restraining Dangerous and Mischievous Animals*, is amended as follows:

1. By repealing section 6 thereof and substituting therefor the following:

“6. Any sheep which passes through, under or over any fence, whether lawful or not, shall be deemed to be a notoriously breachy animal within the meaning of this Act, and the owner thereof shall be liable for any damage done thereby.”

2. By adding thereto the following new sections:

“7. Notwithstanding any Act or by-law heretofore passed or any by-law that may hereafter be passed, no hog shall be allowed to run at large at any time in any part of the province, and the owner of any hog shall be liable for any damage done by it while running at large, whether or not the land on which such damage is done is surrounded by a lawful fence, and all hogs shall be deemed to be mischievous animals within the meaning of this Act.

“8. The Minister of Agriculture may by order published in The Alberta Gazette prohibit in any specified area in such order defined (no part of which shall be within a municipal district) the running at large of any live stock in greater numbers than one hundred head of cattle or horses or five hundred sheep for every one hundred and sixty acres of land owned or occupied by the owner of such live stock within the area so defined.

“(2) Every such order upon its publication as aforesaid shall unless and until repealed by subsequent order published in like manner be of the same force and effect as if enacted by the Legislature of the province, and any violation thereof

shall be an offence punishable on summary conviction by a penalty not exceeding \$100.00 and costs for each offence."

**38.** Chapter 7 of the Statutes of Alberta, 1909, being *An Act respecting Constables*, is amended as follows:

1. By striking out of sections 1 and 4 thereof all the words inserted therein by section 23 of chapter 3 of the Statutes of 1917.

**39.** *The Liquor Act*, being chapter 4 of the Statutes of 1916, is amended as follows:

1. By adding to section 7 thereof the following:

"and shall have power to fix the form of prescription which shall be used by physicians under this Act, and to furnish such forms to physicians for the purpose of prescribing liquor under this Act, and to change such form from time to time as seems meet, and when such form is so fixed or changed no physician shall prescribe liquor upon any other form than the one so specified in such regulations.

"And further shall have the power and authority to fix from time to time the price at which liquor shall be sold by druggists, and when such price is so fixed no druggist shall sell any liquor at a higher price than the price so fixed, and may require each druggist to forward by registered post to the Attorney General all such prescriptions of physicians filled by such druggist at such time or times as shall be fixed in such regulations."

2. By striking out the word "pint" where it appears in the third line of section 14 thereof and substituting therefor the word "quart".

3. By adding thereto the following section numbered 60:

"**60.** If a privileged person shall have been twice convicted under this Act, he shall cease to be a privileged person within the meaning of the Act, and, if a physician, shall not be entitled to prescribe liquor as a physician, under the Act."

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

1. By adding to subsection 2 of section 18 thereof the following:

“Provided, however, that the Provincial Treasurer may require that the audit and inspection herein provided for be made by the auditor of each municipal district, and that a report of such audit be forwarded to him not later than the first day of March in each year.”

**41.** *The Drainage Act*, being chapter 24 of the Statutes of Alberta, 1916, is amended as follows:

1. By striking out paragraph 2 of section 2 and substituting therefor the following:

“‘Municipality’ means city, town, village, or municipal district.”

2. By striking out of paragraph 13 of section 2 all words after the word “person” in the fourth line thereof and substituting therefor the following:

“and with respect to the assessment of roads, within a drainage district, the aggregation of roads within any municipality or part thereof within that district or the aggregation of roads situated within any improvement district or part thereof within the said drainage district.”



3. By adding as section 21a the following:

"21a. In the case of a parcel of land consisting of the roads in a municipality, such municipality shall pay the amount assessed by the Minister under section 19 hereof with regard to such roads and in the case of a parcel of land consisting of the roads outside a municipality, the Minister shall pay the said assessment out of the funds directed to be expended by him in improvements under *The Local Improvement Act*."

4. By striking out of section 48 all words after the word "tax" where it occurs in the fifth line thereof and substituting therefor the words "the same shall fall upon the occupant of such lands, if he has made homestead or pre-emption entry therefor or in any other case, shall be payable by the Minister out of the moneys received by him upon the sale of Dominion land purchased by the Department of Public Works from the Dominion under the provisions of *The Reclamation Act*."

42. *The Mines Act*, being chapter 4 of the Statutes of Alberta, 1913 (1st Session), is amended as follows:

1. By adding to section 29 the following as subsection 9 thereof:

"(9) The provisions of this section shall not apply to mines, where coal is extracted by the process of removing all the overlying strata."

2. By striking out of section 34 the words "of the following" where they appear in the fourth line thereof and substituting therefor the words "after the twenty-sixth day of the same"; also by striking out the words "third Saturday" where they appear in the sixth line thereof and substituting therefor the words "first Saturday after the twelfth day"; also by striking out the words "the said first or third Saturday of every month" where they appear in the first and second lines of the proviso thereto and substituting the words "any of the said Saturdays".

3. By striking out of section 41 the words "doctor's fees" where they appear therein.

4. By inserting in section 64 before the word "certificate" where it appears in the second line of subsection 2 thereof the words "first, second or third class".

5. By inserting in section 90 before the word "practical" in the third line thereof the words "or have been".

6. By striking out of section 121 all words after the word "section" where it appears in the fourth line thereof and

substituting therefor the words "14 of *The Boilers Act*, being chapter 22 of the Statutes of Alberta, 1918".

**43.** *The Alberta Co-operative Credit Act*, being chapter 11 of the Statutes of Alberta, 1917, is amended as follows:

1. By striking out the first ten lines of section 4 and substituting therefor the following:

"The organization of such societies may be initiated by a petition which may consist of one or more parts in form A in the schedule hereto, or to the like effect, signed by not less than fifteen farmers or persons engaged in, or agreeing to engage within one year, in farming operations of the kinds hereinafter referred to, and subscribing stock in the proposed society at par value to the amount of not less than \$1,500.00 upon which not less than 20 per cent."

2. By adding as section 8a the following:

"8a. No such society shall commence business until it has received subscriptions to its capital stock from not less than thirty farmers or persons engaged in, or agreeing to engage within one year, in farming operations of the kinds hereinafter referred to, to the amount of not less than \$3,000.00 upon which not less than twenty per cent. has been paid."

3. By adding to section 17 the following:

"The directors may appoint as secretary-treasurer, or as secretary, or as treasurer, any person not a member of the board of directors, if they deem it in the interests of the society to do so."

4. By adding to paragraph (b) of section 22 the following: "and placing fire and hail insurance."

5. By adding as section 28a the following:

"28a. Every bank from which loans are obtained by any society under this Act shall forward to the supervisor of Co-operative Credit Societies a monthly return showing each loan made by it under the Act, and the amount authorized thereby, and the amount advanced at the date of such return, and also showing all loans, if any, then past due."

6. By adding as section 32a the following:

"32a. In addition to the lien declared by the preceding section, the directors may require further or other security whether by way of mortgage or assignment of property of any sort or otherwise howsoever, in such manner and form as may seem to them fit and proper and may assign such securities or any of them to the lender together with all the rights of the society thereunder."

**44.** *An Act respecting Government Telephone and Telegraph Systems*, being chapter 14 of the Statutes of Alberta, 1918, is hereby amended by striking out of section 3 thereof the words "drawing interest at a rate not exceeding four per cent. per annum" and substituting therefor the words "drawing interest at such rate as the Lieutenant Governor in Council may determine."

**45.** *The Unearned Increment Tax Act*, being chapter 10 of the Statutes of Alberta, 1913 (2nd Session), is amended by adding as subsection 2 of section 2 thereof the following:  
 "(2) The expression 'first transfer' in this Act has and has always had reference to the transfer of land for the first time after the twenty-fifth day of October, 1913."

**46.** Chapter 19 of the Statutes of 1908, being *An Act respecting Poisons*, is amended as follows:

1. By repealing section 4 thereof and substituting therefor the following:

"4. In that portion of the province lying to the south of the 55th degree, north latitude, no person shall set out poison except upon his own premises, nor shall poison be set out unless it is mixed with grease and placed in a hole or hollow, in a piece of timber or other material, or is placed in a vessel.

"(2) Notwithstanding the provisions of the last preceding subsection any person may set out poisoned grain in reasonable quantities and of reasonable strength for the destruction of gophers, either upon his own premises or upon any road allowance or highway, and may enter upon any unoccupied lands adjoining his premises, and so set out poisoned grain on such lands for the destruction of gophers thereon."

**47.** *The Alberta Pharmaceutical Association Act*, being chapter 38 of the Statutes of Alberta, 1910 (Second Session), as amended is amended as follows:

1. By adding after section 25 the following:

“26. No person or persons shall be entitled to keep open shop or carry on the business of a pharmaceutical chemist or chemists in any city under the name of a partnership or as an unincorporated company or under any other name or style indicating that such business is carried on by plurality of members unless during all the time the said business is carried on, at least a sixty-six and two-thirds per cent. interest in such business is *bona fide* owned and held by a pharmaceutical chemist or chemists duly registered as such hereunder, and any agreement or arrangement by such pharmaceutical chemist or chemists to share with any person not so registered, the receipts or profits of such business in excess of the percentage herein provided for, or to give any such unregistered person an interest in such business beyond the percentage herein provided for shall be void and of no effect.

“27. No person or persons shall keep open shop in any city for compounding medicines for retailing poisons or otherwise carrying on business as a pharmaceutical chemist or chemists under the name or title of an incorporated company unless a majority of the shareholders of such company are pharmaceutical chemists duly registered as such hereunder, and are all the time the said business is carried on *bona fide* owners and holders of at least sixty-six and two-thirds per cent. of the authorized capital stock of the company under whose name or title such business is being carried on and unless such business is continuously under the immediate personal supervision, management and conduct of at least one of such shareholders who shall have his name and certificate posted in a conspicuous position in that portion of the premises in which the business is being carried on to which the public have access, and anything which would be an offence against this Act if committed by an individual shall be an offence by each of such shareholders and by such company and the prosecution of any one of them shall not be a bar to the prosecution of the others or any of them:

“Provided, however, that this section shall not apply to incorporated companies already carrying on the business of a drug store and employing a registered chemist or chemists in the conduct of such business until twelve months after the passing of this Act.

“28. No agreement by any shareholder in section 27 mentioned to assign or transfer any or all of the stock owned and held by him in such company to any person other than a pharmaceutical chemist duly registered as such hereunder shall be effectual to pass the ownership thereof or to give any such unregistered person any claim thereon in law and any assignment or transfer of such stock in blank shall be void and of no effect.

"29. Any or all of the shareholders in section 27 referred to shall be personally liable to the penalty and punishment provided by this Act for any infraction thereof and the prosecution or conviction of any one of them shall not be a bar to the prosecution or conviction of the others or any of them, and a certificate from the Registrar of Companies setting out the names of the shareholders of any company as disclosed by his records shall be *prima facie* evidence that such persons are shareholders of the said company without proof of the signature to such certificate, or without proof of the fact that the person signing such certificate holds the position which he purports to occupy.

"30. Any person contravening any of the provisions of sections 26 and 27 hereof shall be liable on summary conviction for a first offence to a penalty of not less than \$100 and not more than \$200 and for a second offence shall be liable to a penalty of not less than \$200 and not more than \$400 and for a third or any subsequent offence shall be liable to imprisonment without the option of a fine for any term of not less than three months and not exceeding one year."

48. *The Marriage Ordinance*, being chapter 46 of the Consolidated Ordinances of the Territories, 1898, is amended as follows:

1. By adding to the said section at the end of the last proviso thereof the following:

"except where the marriage is shown to be necessary to prevent the illegitimacy of offspring, and a certificate to that effect is given by a legally qualified medical practitioner."

2. By adding to subsection 2 of section 11 thereof the following:

"Provided that where either the contracting parties is of the age of at least eighteen years, and is maintaining himself or herself and living apart from his or her parents, he or she need not obtain such consent, but shall make an affidavit clearly setting out the above facts, and file the same with the issuer of the license."

49. *The Game Act*, being chapter 14 of the Statutes of 1907, is amended as follows:

1. By striking out the words "fifteenth day of October" where they appear in the first and second lines of clause 2 of section 4 thereof, and substituting therefor the words "first day of November".

2. By striking out the word "first" where it appears in the third line of clause 5 of section 5 thereof and substituting therefor the word "fifteenth".

**50.** *The Live Stock Encouragement Act*, being chapter 9 of the Statutes of 1917, is amended as follows:

1. By inserting in section 13 thereof immediately before the word "expenses" where it appears in the eleventh line of the said section, the word "the".

**51.** *The Alberta Insurance Act*, being chapter 8 of the Statutes of 1915, is amended as follows:

1. Schedule D of the said Act is amended—

(a) By striking out clause (c) of paragraph 5 thereof;

(b) By striking out all that part of paragraph 7 thereof before the word "hereinafter" in the fourth line of the said paragraph and substituting therefor the following: 'A person claiming under a policy shall when demanded in writing by registered letter from the company furnish within fifteen days after receipt of such letter (unless such time is extended by the company) a statutory declaration';

(c) By repealing paragraph 13 thereof and substituting therefor the following:

"13. The insurance, if on the cash plan, may be terminated by the insured by giving written notice to that effect to the company by registered letter at its head or branch office or the general agency from which the policy was issued and upon the surrender of the policy, in which case the company may retain a customary short rate applicable to hail insurance for the time the insurance has been in force and shall repay to the insured the balance of the premium paid; if on the note plan, the insured shall pay the company the earned portion of the premium and on payment or surrender of such amount the company shall return the premium note."

No. 63.

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SECOND SESSION  
FOURTH LEGISLATURE  
9 GEORGE V  
1919

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BILL

An Act to amend The Factories Act,  
The Liquor Act, The Soldiers'  
Home Tax Exemption Act, and  
certain other Acts and Ordinances.

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Received and read the

First time . . . . .

Second time . . . . .

Third time . . . . .

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HON. MR. BOYLE.

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EDMONTON:  
J. W. JEFFERY, KING'S PRINTER  
A. D. 1919