

BILL

No. 22 of 1921.

An Act to amend The Factors Ordinance.

(Assented to , 1921.)

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

The Factors Ordinance, being chapter 40 of the Consolidated Ordinances of the North-West Territories, 1898, is hereby amended as follows:

1. Subsection 1 of section 2: By adding after the word "goods" in the last line thereof the following: "and for the purposes of sections 8a to 8d inclusive includes a merchant or other person to whom goods have been consigned or delivered for the purposes of sale on account of the owner thereof."

2. By adding thereto the following section as section 8a:
"8a. Whenever any goods and chattels are delivered into the possession of a mercantile agent for sale by such mercantile agent on account of the owner thereof, the said goods and chattels shall be deemed to be the property of the said mercantile agent in so far as his creditors are concerned, unless a true copy of the contract whereby such goods and chattels are held or a note or memorandum thereof signed by the consignor has been filed as hereinafter provided:

"Provided, however, that it shall be taken to be a sufficient compliance with the requirements of this section as to the filing of a true copy of the said contract or a note or memorandum thereof signed by the consignor, if such contract and copy, or note or memorandum thereof, contains a general description of the kind of goods and chattels held on consignment, or proposed to be delivered on consignment, without mentioning the prices at which such goods and chattels are so held for sale or other details, unless such prices or other details are essential to a description of the said goods and chattels, and states the length of time the agreement runs; and provided further that the filing of a true copy of a contract, continuous in its operation, or a note or memorandum thereof, shall be a sufficient compliance with this section with respect to all goods and chattels consigned thereunder."

3. By adding thereto the following section as section 8b:

"8b. A copy of such contract or a note or memorandum thereof, together with an affidavit of the consignor or one of several consignors, or the agent of the consignor or consignors, if such agent is aware of all the circumstances connected therewith, that the said goods and chattels are not consigned for the purpose of enabling the mercantile agent to hold the goods and chattels mentioned therein against the creditors of the consignor, shall within thirty days from the execution of the contract or within such further time as a judge for good cause shown and having regard to any intervening interests may allow, be registered in the office of the Supreme Court of the judicial district wherein the goods and chattels are so held or so to be held on consignment."

4. By adding thereto the following section as section 8c:

"8c. Nothing herein shall apply to goods and chattels held on consignment for sale or on account of the owner thereof under any contract made prior to the coming into force of this amending Act, except in the event of such contract running beyond the 31st of December, 1921, in which event the said contract or a note or memorandum thereof, shall be filed prior to the said 31st of December, 1921."

5. By adding thereto the following sections as section 8d and section 8e:

"8d. Nothing contained in sections 8a to 8c inclusive shall apply to a sale to a *bona fide* purchaser in good faith in the ordinary course of business."

"8e. The registration clerk shall be entitled to charge a fee of twenty-five cents for each search, fifty cents for each certificate, fifty cents for each registration and ten cents per hundred words for copies of documents."

No. 22.

FOURTH SESSION
FOURTH LEGISLATURE
11 GEORGE V
1921

BILL
An Act to amend The Factors
Ordinance.

Received and read the

First time.....

Second time

Third time

HON. J. R. BOYLE.

EDMONTON:
J. W. JEFFERY, KING'S PRINTER.
A.D. 1921