

BILL

No. 91 of 1921.

An Act to amend The Motor Vehicle Act, The Unearned Increment Tax Act, and Certain other Acts and Ordinances.

(Assented to , 1921.)

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.*"

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

1. Section 15: By adding to subsection 1 thereof the following proviso:

"Provided always that a chauffeur engaged as a chauffeur only for the purpose of operating a van or conveyance carrying pupils to and from any consolidated school shall not be required to pay such fee."

2. Subsection 3 of section 22, as enacted by section 4 of chapter 4 of the Statutes of Alberta, 1918: By striking out the figures "20" occurring in the third line thereof and substituting in lieu therefor the figures "40"; and by striking out the figures "50" where the same occur in line 4 thereof, and substituting in lieu therefor the following figures and words: "100 and in default of payment to imprisonment not exceeding three months or to both fine and imprisonment."

3. By adding thereto the following section as section 55a:

"55a. It shall be unlawful for any person engaged in the sale of automobiles, tractors, steam or gas engines, to sell or expose for sale any part thereof or any accessory thereto which had been numbered by the manufacturer or maker, with the number removed or effaced or not clearly visible.

"(2) Any person violating the provisions of subsection 1 hereof shall be guilty of an offence and liable on summary conviction to a fine not exceeding \$50 and in default of payment to imprisonment not exceeding three months."

3. *The Unearned Increment Tax Act*, being chapter 10 of the Statutes of Alberta, 1913 (Second Session), is hereby amended as follows:

1. Section 3: By adding thereto the following subsection as subsection 1a:

“(1a) The estimated costs of irrigating lands shall be deemed to be an improvement for the purposes of this Act, if the said land is not subject to a bonded indebtedness for the costs of irrigating the same. In the event of such bonded indebtedness being partially paid, the difference between the unpaid bonded indebtedness and the estimated costs of irrigating the said lands shall be deemed to be an improvement.”

2. Section 3: By adding thereto the following subsection as subsection 2a:

“(2a) No tax shall be payable under this Act upon the registration of any transfer or of any instrument by which a municipality transfers to a purchaser the title to any lands vested in the said municipality by virtue of any tax enforcement proceedings taken pursuant to any Act or Ordinance now or at any time in force in the province:

“Provided always that for the purposes of this subsection, the price at which such property is sold shall be deemed to be a value ascertained for the purposes of this Act;

“And provided further that the expression ‘municipality’ occurring herein, means and includes a city, town, village, municipal district and improvement district.”

4. *The Intestate Succession Act*, being chapter 11 of the Statutes of Alberta, 1920, is hereby amended as follows:

1. Section 3, subsection 2: By striking out the figure “2” occurring in the first line thereof, and inserting in lieu thereof the letter “f.”

2. Section 9: By striking out the word “his” occurring in the second line thereof, and substituting therefor the words “his or her.”

3. Section 11: By repealing the same, and substituting the following in lieu thereof:

“11. Where any person being a child or other issue of a testator to whom any real or personal estate is devised or bequeathed dies in the lifetime of the testator and no provision is made in such will for the contingency of such child or issue dying before the testator, and any children or issue of any such person is or are living at the time of the death of the testator, such devise or bequest shall not lapse but shall take effect so that such children or issue shall take, and if more than one, equally, the share which their, his or her father or mother would have taken if such father or mother had survived the testator, unless a contrary intention appears in the will:

“Provided always that no child shall take under the provisions of this section if his or her parent be alive at the death of the testator.”

4. Section 12: By striking out the words "after the enactment thereof," and inserting in lieu thereof the words "after the coming into force of this Act."

5. *The Theatres Act*, being chapter 25 of the Statutes of Alberta, 1911-12, is hereby amended as follows:

1. Section 2: By adding thereto the following proviso:
 "Provided always that such license shall not enable the owner or occupier of such theatre or entertainment hall to operate such theatre or entertainment hall in any town or city which makes provision by by-law for the licensing of theatres and entertainment halls, unless such owner or occupier obtains a license from such city or town."

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

1. Section 34a, as enacted by section 11 of chapter 3 of the Statutes of Alberta, 1916: By striking out the words "sealed glass or metal" where the same occur in lines 7 and 8 thereof.

7. *The Legal Profession Act*, being chapter 20 of the Statutes of Alberta, 1907, is hereby amended as follows:

1. Section 33: By repealing the same, and substituting the following in lieu thereof:

"33. The benchers shall from time to time appoint and shall always maintain for the purposes hereinafter named a committee of their own body to be known as the 'Discipline Committee,' consisting of at least three members with power to the benchers to alter the number, subject as aforesaid, the constitution and the tenure of office of such committee.

"(2) The discipline committee shall deal with and may investigate every written charge or complaint against or regarding any member of the society who shall have been convicted of an indictable offence, or who is known or reported to be guilty of or who is charged with dishonourable, disgraceful, infamous, unbecoming, improper or criminal conduct, professional or otherwise; if the committee consider the charge or complaint warrants it they may recommend that the benchers strike the name of said member from the rolls, and the benchers may order the name of such person to be struck from the rolls of the said society. If the name of any member of the society is struck from the rolls of the society under the provisions

hereof, it shall be unlawful for such member thereafter to carry on the practice of a barrister or solicitor or to be directly or indirectly associated in practice with any member of the society and it shall be unlawful for any member of the society to be associated in practice directly or indirectly with any member whose name shall have been struck off hereunder, while such member is under disability.

“(3) If the benchers consider that the charge or complaint is not of such gravity or importance as to warrant in their judgment the member’s name being struck from the rolls they may suspend such member from practice for such time as they may think fit, provided that such suspension shall not exceed twelve months. In addition to or in lieu of suspension as herein provided the benchers may reprimand the offending member and may also adjudge that he shall pay a penalty of not less than \$50 and not more than \$500 with or without costs incurred by the society in the prosecution of the investigation of the charge or complaint against such offending member; and the benchers may direct that, in default of the payment of any such penalty or such costs, the offending member shall be suspended from practice until the amount of such penalty and such costs, if any, are paid by such offending member.

“(4) When the benchers direct the name of any member to be struck from the rolls as aforesaid the name of such member shall not again be entered on the rolls of the said society except by direction of the benchers or by an order of the Appellate Division of the province or such other court as may from time to time exercise the functions of a Court of Appeal in the province.

“(5) The said discipline committee, as well as the benchers, may for the purpose of the execution of their duties under this Act, employ at the expense of the society such legal or other assistance as they may think necessary, and the member whose conduct is the subject of enquiry, shall also have the right to be represented by counsel or agent.

“(6) The said discipline committee may meet to take evidence or otherwise ascertain the facts concerning any such complaint or charge, but notice in writing of any such meeting shall be served upon the member whose conduct is the subject of enquiry, at least two weeks before the time fixed for such meeting, setting out the written charge or complaint with such particulars as may be necessary to inform the person charged or complained of fully of the substance and effect of the charge or complaint against him, and specifying the time and place of such meeting. Such notice may be served upon the member personally, or otherwise as may be ordered by a judge of the Supreme Court. For the purpose of procuring attendance of

witnesses and of obtaining evidence before the said committee any party to the enquiry may serve a notice to witnesses in a manner similar to that which is provided in the Consolidated Rules of the Supreme Court and service of any such notice to witnesses shall have the same force and effect as a writ of subpoena *ad testificandum* or a writ of subpoena *duces tecum* formerly had in the province. Any witness shall be entitled to demand and to be paid the usual fees payable to witnesses in actions in the Supreme Court. The testimony of the witness shall be taken under oath, which the chairman or acting chairman of the committee is hereby empowered to administer. There shall be full right of cross-examination of all witnesses called with the right to adduce evidence in defence and reply. The rules of evidence on such enquiry and the proceedings and penalties in the case of disobedience shall be the same as obtain in civil cases in the Supreme Court. In the event of non-attendance of the member, whose conduct is the subject of such enquiry, the committee may upon proof of personal service or of such substituted service as may have been ordered, of the notice aforesaid in accordance with the provisions of this Act, proceed with the subject matter of the enquiry in the absence of such member and make a report of the facts and evidence adduced without further notice to such member.

“(7) Any member, whose name has been ordered to be struck from the rolls or suspended under the powers hereby, may appeal from the decision of the committee and of the benchers to the Appellate Division of the province or such other court as may from time to time exercise the functions of a Court of Appeal in the province, at any time within six months after the date of the order complained of, or within such further time as a judge of the Appellate Division shall allow, and such court may, upon hearing said appeal, make such order, either confirming the action of the said committee and the benchers or varying or reversing the same or for further enquiries by the committee and the benchers or otherwise and as to costs as may to it seem meet.

“(8) The said appeal shall be by notice in writing to the benchers to show cause (which said notice shall be served not less than ten days before the hearing thereof) and shall be founded upon a copy of the proceedings before the said committee and the benchers, the evidence taken, the committee's report and the order made by the benchers thereon. The secretary of the society shall upon the request of any member desiring so to appeal, furnish to such member a certified copy of such proceedings, report, order and papers without expense.”

2. By adding the following section as section 34a:

“34a. The benchers shall also enroll as members of the society with the titles of barrister and solicitor any person who is a British subject and has shown himself to be of good character and reputation and—

“(1) Has pursued a course at the University of Alberta for at least three years leading to a degree in law and has received such degree and has complied with the rules and regulations of the Law Society as to service under articles for a continuous period of one year; or

“(2) Has received from the University of Alberta the degree of Bachelor of Arts and has pursued a course at the said university leading to a degree in law and has received such degree and has served under articles in compliance with these rules and regulations of the Law Society for a term of one year in continuous periods of not less than four months each;

“(3) And in either case has paid the fees provided by the Law Society for enrolment.”

8. *An Act respecting Extra-Judicial and Other Seizures*, being chapter 4 of the Statutes of Alberta, 1914, is hereby amended as follows:

1. Section 4, as amended by section 7 of chapter 4 of the Statutes of Alberta, 1918: By adding thereto the following proviso:

“Provided always that the provisions of this section shall apply only in a distress for rent where the rent in arrears exceeds two months and in other cases only where the amount involved exceeds \$50.”

9. *The Alberta Architects Act*, being chapter 43 of the Statutes of Alberta, 1906, is hereby amended as follows:

1. Section 9: By adding thereto the following subsection at the end thereof:

“Notwithstanding anything in this Act contained, the council shall admit to membership any person who holds a degree in architecture from any university, or college of architecture or technology in Canada, and the secretary shall issue to such person the necessary license to practice on payment by such person of the proper registration fee.”

10. *The Livery Stable Keepers' Ordinance*, being chapter 57 of the Consolidated Ordinances of the North-West Territories, 1898, is hereby amended as follows:

1. By striking out the words “territorial” and “territories” wherever the same occur therein, and substituting in lieu thereof respectively the words “provincial” and “Province of Alberta.”

2. Section 3: By adding thereto the following: "and the right of detention by any keeper of a livery stable of any such animal shall have priority over and shall not be subject to any existing lien, chattel mortgage, bill of sale or other charge or encumbrance of whatever nature or kind affecting such animal."

3. Section 6: By adding thereto the following subsection as subsection 2:

"(2) The Provincial Treasurer may entertain any application verified by such affidavit or affidavits as he may require on the part of a mortgagee of the goods and chattels so sold or on the part of any creditor of the owner of the said goods and chattels and may in his discretion make an order for the payment of all or a portion of the said moneys to such mortgagees or creditors according to the priorities thereof; or the Provincial Treasurer may informally refer the facts to a judge of the Supreme Court or a District Court, and the judge may direct interpleader proceedings to be taken where there is more than one claimant, or in any case may, on the production of such evidence as he may deem necessary, make such order as to him seems just; provided always that creditors shall be paid according to the priorities thereof, and such order shall be sufficient authority for the Provincial Treasurer to pay any moneys in his possession according to the tenor of the said order."

11. *The Hotel Keepers' Ordinance*, being chapter 56 of the Consolidated Ordinances of the North-West Territories, 1898, is amended as follows:

1. By striking out the word "territorial" wherever the same occurs therein, and substituting in lieu thereof the word "provincial."

2. Section 2: By adding thereto the following subsection as subsection 2:

"(2) The Provincial Treasurer may entertain any application verified by such affidavit or affidavits as he may require on the part of a mortgagee of the goods and chattels so sold or on the part of any creditor of the owner of the said goods and chattels and may in his discretion make an order for the payment of all or a portion of the said moneys to such mortgagees or creditors according to the priorities thereof; or the Provincial Treasurer may informally refer the facts to a judge of the Supreme Court or a District Court, and the judge may direct interpleader proceedings to be taken where there is more than one claimant, or in any case may, on the production of such evidence as he may deem necessary, make such order as to him seems just; provided always that creditors shall be paid according to the priorities thereof, and such order shall be

sufficient authority for the Provincial Treasurer to pay any moneys in his possession according to the tenor of the said order."

12. *An Act respecting Poisons*, being chapter 19 of the Statutes of Alberta, 1908, is hereby amended as follows:

1. Section 2: By adding thereto the following subsection as subsection 3:

"(3) In that portion of the province referred to herein no person other than a duly qualified druggist shall have in his possession or on his premises any strychnine or other poison in any form which can be used for the destruction of wild animals, unless under and by virtue of a permit issued by an officer, non-commissioned officer or constable of the Alberta Provincial Police:

"Provided always that nothing in subsection 3 contained shall be deemed to effect a repeal of section 34a of *The Alberta Pharmaceutical Association Act*, as enacted by section 11 of chapter 3 of the Statutes of Alberta, 1916."

2. Section 4, as enacted by section 46 of chapter 4 of the Statutes of Alberta, 1919:

(a) Subsection 1: By striking out all the words occurring after the word "grease" where the same occurs in line four thereof.

(b) By adding at the end of subsection 2 thereof the following proviso:

"Provided always that all such poison or poisoned grain must be placed in a hole frequented or occupied by gophers."

3. Schedule A: By inserting after the word "to" where the same occurs in line one thereof the following words: "have in possession and to."

13. *The Judicature Ordinance*, being chapter 21 of the Consolidated Ordinances of the North-West Territories, 1898, is hereby amended as follows:

1. Subsection 16 of section 10, as enacted by section 1 of chapter 3 of the Statutes of Alberta, 1920: By adding thereto the following proviso:

"Provided also that the plaintiff may release any lands of the defendant or any portion thereof from the effect of the said certificate, and upon registration of the said release the lands mentioned therein shall be absolutely released and discharged from the effect of the said certificate. The release shall be executed by the plaintiff in accordance with the requirements of *The Land Titles Act*, and may be in the following form:

"RELEASE.

"I,, the plaintiff, do hereby release from the effect of the certificate of judgment dated and registered"

1. Section 9b, as enacted by section 36 of chapter 4 of the Statutes of Alberta, 1920: By repealing the same.

18. *The Fire Prevention Act*, being chapter 23 of the Statutes of Alberta, 1916, is hereby amended as follows:

1. Section 7, subsection 4: By striking out the words "ten cents per mile" where they occur therein, and inserting in lieu thereof the words "fifteen cents per mile."

19. *The Treasury Department Act*, being chapter 5 of the Statutes of Alberta, 1906, is hereby amended as follows:

1. Section 62: By striking out the words "heads of the several departments, or the officers, clerks or other persons charged with the expenditure of public moneys" where the same occur therein, and inserting in lieu thereof the words "heads of the several departments, or their deputies or assistant deputies, or the officers, clerks or other persons lawfully charged with the expenditure of public moneys."

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

1. Section 2, subsection 8: By striking out the word "and" where the same occurs in line 9 thereof, and substituting in lieu thereof the word "or."

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

1. Notwithstanding anything contained in *The Wetaskiwin Charter*, being chapter 41 of the Statutes of Alberta, 1906, and amendments thereto, or contained in *The Municipal Ordinance*, being chapter 70 of the Consolidated Ordinances of the North-West Territories and amendments thereto so far as incorporated in *The Wetaskiwin Charter*, the income of all persons residing within the municipality, derived from their personal earnings in any occupation, profession, means of profit or livelihood, carried on by such persons, shall not be liable to taxation from and after the first day of January, 1922, but all such persons who, prior to said date were liable for income tax and who occupy business premises of any description in the city shall from and after said date pay a business tax and shall be assessed in respect of their businesses, occupations or professions in the manner provided for by subsection 5 of section 1 of chapter 45 of the Statutes of Alberta, 1920, as hereinafter amended.

2. From and after the first day of January, 1922, except as hereinafter provided, every person, male or female, of

the age of twenty-one years or over, who resides for at least three months in the city of Wetaskiwin and carries on there any occupation, profession, means of profit and livelihood in respect of which such person is not liable in payment of business tax under and in virtue of subsection 5 of section 1 of chapter 45 of the Statutes of Alberta, 1920, being *An Act to amend The Wetaskiwin Charter*, shall upon the passing of a by-law therefor, pay to the City of Wetaskiwin each year as part of the general revenues of the city, a tax herein referred to as "the Service tax" or "the said tax."

(a) For the purposes of this section, residence within the city shall be understood as actual residence therein for the said period of three months, irrespective of whether such person intends to reside in the city permanently or whether or not the said period of residence is wholly or in part only within the year in which the said tax becomes due.

(b) The amount of the annual service tax payable by each person liable therefor shall be not less than the sum of five dollars or more than the sum of twenty-five dollars, as provided in the next subsection.

(c) The council of the city is hereby empowered to pass a by-law fixing the amount of the service tax payable annually by all persons as above provided, and for the said purpose may adopt any basis of classification the council may deem advisable, and may differentiate between the amount payable by the different classes of persons as defined in the said by-law.

(d) The council may by by-law provide for exempting from the said tax, any class or classes of persons.

(e) The service tax for the year 1922, shall become due and payable on the first day of January, 1922, and in each year after the year 1922, on the first day of January of such year.

(f) If any person has not resided within the city for three months prior to the date when said tax becomes due and payable in any year, such person shall become liable to pay to the city the said tax for that year so soon as such person shall have been a resident of the city for three months.

(g) The said tax shall be due and payable from each person liable therefor upon and after the date such tax becomes due and payable in any year, or so soon as any person shall have been a resident of the city for three months without any formal demand for payment thereof.

(h) Every employer, including partnerships and companies, shall upon application therefor to such employer, or to the manager of the business of such employer, either personally or by letter addressed to the place of business, furnish forthwith to the tax collector of the city, or to any person authorized by him to apply therefor, the name and address of each and every person in his or its employ,

and the wages or salary paid to such employee and of any other information that may be reasonably required for purposes of the said tax.

(i) Every person shall furnish forthwith, upon request made therefor, by the tax collector of the city, or by any other person authorized by him to apply therefor, his or her name, place and period of residence within the city, and shall also inform the collector or other person whether or not he or she is of the age of twenty-one years, or over, and the wages or salary received during the three months preceding the date the said tax became due and payable by such person to the city, and any other information the council of the city may require from any person, or class of persons, for any of the purposes of the said tax.

(j) Every employer, and the manager of the business of such employer, and every person who refuses, or neglects for three days after request made therefor, to furnish the information required to be furnished under either of the said two preceding subsections, or who furnishes any false information, shall upon summary conviction thereof be liable to a penalty not exceeding one hundred dollars (\$100) exclusive of costs.

(k) Every employer shall pay to the said city, within one month after notice by the tax collector of the city, the full amount of the said tax payable to the city by an employee of such employer, whether such tax has been previously demanded from such employee or not, and the amount so paid may be deducted by the employer from the wages or salary of the employee.

(l) The said tax may be recovered by suit in the name of the city as an ordinary debt from any person liable to pay same, and may also be recovered by distress and sale of any personal property belonging to such person at any time after such tax becomes due and payable; provided, however, that before action is commenced or seizure is made, demand in writing for payment of the said tax shall have been delivered to such person or shall have been mailed to the correct address of such person.

(m) In the case of the person primarily liable for the said tax at least three days, and in the case of the employer at least one month, shall have elapsed after the delivery or mailing of such demand.

(n) The said tax shall be collectable on behalf of the city by the tax collector of the city, or any person duly authorized for such purpose.

(o) The tax collector shall keep a register of the names and addresses of all persons who have paid to the city the said tax in any year, and the names of all such persons shall be added to the voters' list of the city for the year by the secretary-treasurer of the city, unless such names already

appear on the voters' list for that year, or unless the voters' list shall have been completed prior to the payment of the said tax.

3. By striking out the following words in subsection 5 of section 1 of chapter 45 of the Statutes of Alberta, 1920, where they occur in said subsection: "Other than the occupations, professions, means of profit and livelihood in respect of which income tax is payable under section 118 hereof as amended" and the words "other than as aforesaid."

22. *The Dower Act*, being chapter 14 of the Statutes of Alberta, 1917, is hereby amended as follows:

1. Subsection 1 of section 7*a*, as enacted by section 5 of chapter 40 of the Statutes of Alberta, 1919: By adding after the word "apart" where the same occurs in line 1 thereof the following: "or where the wife is a lunatic or a person of unsound mind."

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

1. Section 5, paragraph (b): By striking out the words "ratified by by-law" where they occur therein, and substituting therefor the words "adopted by resolution."

24. *The Dairymen's Act*, being chapter 16 of the Statutes of Alberta, 1907, as amended, is hereby amended as follows:

1. Subsection 6 of section 2, as enacted by section 1 of chapter 44 of the Statutes of Alberta, 1918: By adding thereto the following as paragraph (a):

"(a) Any person purchasing cream from a patron for consignment or re-sale for manufacturing purposes shall be deemed to be the agent for that purpose of any creamery which thereafter buys or receives such cream, and the place at which such person carries on his cream business shall be a cream station and a branch of any such creamery, within the meaning of this Act."

2. Subsection 2 of section 40, as enacted by section 4 of chapter 42 of the Statutes of Alberta, 1919: By inserting after the word "weight" wherever it occurs therein the words "butter fat test."

3. Section 46, as enacted by section 9 of chapter 44 of the Statutes of Alberta, 1918: By striking out all the words down to and including the word "city" where the same occurs in the ninth line thereof, and substituting the following in lieu thereof:

"**46.** Any association, corporation, company, person or firm engaged in the business of buying milk, cream or butter fat for the purpose of manufacture who shall discriminate between different persons, sections, localities, communities, towns or cities of the province by purchasing

such commodities at a lower price or rate from one person or in one section, locality, community, town or city, than is paid for the same commodity by the said association, corporation, company, person or firm to another person or in another section, locality, community, town or city."

4. Section 46: By repealing the proviso thereto.

25. *The Municipal District Relief Act*, being chapter 31 of the Statutes of Alberta, 1920, is hereby amended as follows:

1. Section 20: By striking out the figures "1920" where they occur therein, and substituting therefor the words "next following such advance."

2. Form A in the schedule: By striking out the figures "1919-20" where they occur in line 1 of subsection 1 thereof.

26. *The Public Utilities Act*, being chapter 6 of the Statutes of Alberta, 1915, is hereby amended as follows:

1. By adding thereto the following section as section 23a:

"**23a.** Without in any way affecting the jurisdiction of the board, other than as expressly provided for herein, the board shall have power to hear any application on behalf of the council of any municipality within which natural gas is distributed or supplied as a public utility and to investigate the question of the supply of natural gas, and the cost of producing, conveying, distributing, supplying and selling natural gas to consumers within the municipality, and to investigate any other matter or question in the opinion of the board incidental to or bearing upon the main question or matter under investigation, and to make a report thereon to the council of the municipality and the person operating the public utility.

"(2) For the said purpose the board may exercise all the powers and rights exercisable by it under any other sections of this Act and particularly, but without limiting the generality of the foregoing, the board may exercise all its powers and rights with respect to the summoning and examination of witnesses, the production and inspection of documents.

"(3) The costs of the investigation shall be in the discretion of the board."

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

1. Section 6: By striking out the figures "1920" where they occur in the last line thereof, and substituting therefor the figures "1921."

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

1. Section 7: By striking out the figures "1920" where they occur therein, and substituting therefor the figures "1921."

29. *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 "1920" where they occur in the seventh line thereof, and substituting therefor the figures "1921."

30. *The Town Act*, being chapter 2 of the Statutes of Alberta, 1911-12, is amended by adding thereto the following section as section 167a:

"**167a.** Every Act or Ordinance incorporating any city, or forming part of the charter thereof shall include the following section:

"Every city shall, with regard to indigents resident therein, be under the same liabilities to make provision for the relief of such persons and shall have the same right to recover the expenses thereof as are imposed upon or given to any town by *The Town Act*.'"

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

1. Section 18: By striking out the words "the tax by this Act imposed" occurring in lines 2 and 3 thereof, and substituting the following in lieu thereof: "any tax by this Act imposed other than the tax imposed by section 3(a)."

32. *The Assignments Act*, being chapter 6 of the Statutes of Alberta, 1907, is hereby repealed.

33. *The Public Utilities Act*, being chapter 6 of the Statutes of Alberta, 1915, is amended as follows:

1. Section 86a, as enacted by section 3 of chapter 42 of the Statutes of Alberta, 1918: By striking out the words "of an area not less than twenty acres" where the same occur in lines 3 and 4 thereof, and substituting in lieu thereof the words "of an area not less than eight acres."

34. *An Act to amend The Municipal Districts Seed Grain Act* (passed by the present Session of the Legislature) is amended as to section 6 thereof by adding after the words "nor the rights of a municipal district" where they occur in subsection 12 thereof the words "nor the rights of any mortgagee as given by section 11 of this Act or section 8 of *The Municipal District Relief Act*."

35. *An Act to amend The Domestic Animals Act, 1920*, (passed by the present Session of the Legislature) is amended as to section 1 thereof by adding after the words "or a tenant at a rack rent of lands therein" where they occur in paragraph (e) the words "or any person or corporation carrying on a business therein, who or which is either a tax payer of the said municipality or a tenant at a rack rent of lands therein, and in either case carries on his or its business by means of *bona fide* officers or employees with a settled abode in such municipality."

36. *The Alberta Election Act*, being chapter 3 of the Statutes of Alberta, 1909, is hereby amended as follows:

1. Section 105, subsection 1: By striking out the words "except in the electoral divisions of Athabasca and Peace River" occurring in lines 1 and 2 thereof.

2. Section 105, subsection 2: By repealing the same.

3. Section 106: By striking out the words "except in the electoral divisions of Athabasca and Peace River" where the same occur in lines 1 and 2 thereof.

4. Section 107: By striking out the words "except in the writs for the electoral divisions of Athabasca and Peace River" where the same occur in lines 1 and 2 thereof.

5. Section 108: By striking out the words "and except in the writs for the electoral divisions of Athabasca and Peace River" where the same occur in lines 2 and 3 thereof.

6. Section 121, subsection 1: By striking out all the words down to and including the word "divisions" where the same occurs in line 3 thereof.

7. Section 121, subsection 1, paragraph (d): By striking out the words "except in the electoral divisions of Athabasca and Peace River" where the same occur in lines 1 and 2 thereof.

8. Section 121, subsection 2: By striking out the words "except in the electoral divisions of Athabasca and Peace River" where they occur in lines 1 and 2 thereof.

9. Section 121, subsections 4 and 5: By repealing the same.

10. By adding the following section as section 121a:

"**121a.** For greater certainty, all provisions in this Act relating to deferred elections in the electoral districts of Peace River and Athabasca are hereby stricken out."

11. By adding thereto the following sections as sections 297a, 297b and 297c:

"**297a.** As often as it appears to the Lieutenant Governor in Council to be expedient that an expression of opinion as to the desirability of amending any legislation or of introducing any new legislation relative to any subject matter whatsoever should be elicited from the electors of the province, then the Lieutenant Governor in Council may give directions as to the holding of a general plebiscite of the said electors for the purpose of ascertaining the said opinion.

"**297b.** In giving such directions the Lieutenant Governor in Council may fix the question or questions to be submitted to the electorate, the method of instituting the plebiscite, the forms of ballot to be used, the person or persons to conduct the same and the general machinery for the taking of the plebiscite and generally may determine all matters preparatory to, consequent upon, ancillary to or connected with the same.

"**297c.** The provisions of this Act as to elections shall *mutatis mutandis* apply to all plebiscites taken under this Act, save where it is otherwise expressly directed by order of the Lieutenant Governor in Council."

37. *An Act respecting the Legislative Assembly of Alberta*, being chapter 2 of the Statutes of Alberta, 1909, is hereby amended as follows:

1. Section 1: By striking out the words "fifty-six" occurring therein, and substituting in lieu thereof the word "sixty."

2. Section 2, as amended by section 1 of chapter 37 of the Statutes of Alberta, 1917: By adding thereto the following: "except the electoral districts of East Edmonton, West Edmonton and South Edmonton which shall hereafter constitute one electoral district to be called 'Edmonton,' which shall return five members, and the electoral districts of North Calgary, South Calgary and Centre Calgary which shall hereafter constitute one electoral district and which shall return five members."

3. By adding as sections 58 and 59 thereof the following:

Legislative Counsel.

"58. A Legislative Counsel shall be appointed by the Lieutenant Governor in Council and shall hold office during good behaviour, at such salary and subject to such other terms and conditions as may be fixed by the Lieutenant Governor in Council.

"59. The Legislative Counsel shall—

"(a) Prepare such legislation as may be entrusted to him and collect, summarize and index information relative to the legislation passed by the Imperial Parliament, the Parliament of Canada, and the Legislative Assemblies of the various provinces and foreign countries;

"(b) Be the Revisor of Statutes and continually keep the Statutes of the province in a consolidated form by means of loose-leaf books, or such other means as may be thought advisable;

"(c) Prepare such consolidation and revision of, and other matters relating to, the Statutes or any Statute as is from time to time directed by the Attorney General, and present the same to the Executive Council for its decision on the question of submission of the same to the Legislative Assembly;

"(d) Perform such other duties of a like nature as the Attorney General or the Lieutenant Governor in Council may direct."

No. 91.

FOURTH SESSION
FOURTH LEGISLATURE
11 GEORGE V
1921

BILL

An Act to amend The Motor Vehicle Act, The Unearned Increment Tax Act, and Certain other Acts and Ordinances.

Received and read the

First time

Second time

Third time

HON. J. R. BOYLE.

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