

BILL

No. 26 of 1924.

An Act to amend The Conditional Sales Act.

(Assented to _____, 1924).

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 Conditional Sales Act Amendment Act, 1924.*"

2. Section 3a is added to *The Conditional Sales Act*, being chapter 150 of the Revised Statutes of Alberta, 1922, as follows:

"**3a.** Whenever a registration clerk registers or files any writing under the provisions of this Act it shall be conclusively presumed that every affidavit required by this Act in connection with such registration or filing was made by a person lawfully entitled to make the same, and duly set forth such things as are by this Act required to be set forth."

3. Section 5 of the said Act is hereby struck out, and the following substituted therefor:

"**5.**—(1) No goods which are the subject matter of a writing registered under the provisions of this Act shall be removed into another registration district unless a notice of the intention to remove is mailed, postpaid and registered, to the seller or bailor at his last known place of address not less than twenty days prior to such removal.

"(2) Any person violating the provisions of sub-section (1) of this section shall be liable upon summary conviction to a penalty not exceeding one hundred dollars.

"(3) If any such goods are, after the delivery thereof, removed by the buyer or bailee into another registration district, a true copy of such agreement shall be filed in the registration district into which such goods are removed, within sixty days after such removal.

"(4) If the said true copy is not duly filed in the registration district the seller or bailor shall not be permitted to set up any right of property or right of possession as against any purchaser or mortgagee from or of the buyer or bailee of such goods in good faith and for valuable consideration, or as against judgments, executions or attachments against the buyer or bailee."

4. Section 6a is added to the said Act as follows:

“6a.—(1) Nothing in this Act relating to registration shall apply to the sale or bailment of any manufactured goods or chattels of the value of fifteen dollars or over, which at the time of the actual delivery thereof to the buyer or bailee have the manufacturer’s or vendor’s name painted, printed or stamped thereon, or plainly attached thereto by a plate or similar device:

“Provided that such manufacturer or vendor (being the seller or bailor of such goods or chattels) keeps an office in Alberta where inquiry may be made and information procured concerning the sale or bailment of such goods or chattels:

“And provided further that such manufacturer or vendor or his agent does within five days after receiving a request so to do in writing from any person proposing to purchase goods or chattels or from any actual or intending creditor of the buyer or bailee, furnish to him a statement of the amounts (if any) paid thereon and the balance remaining unpaid.

“(2) The person so inquiring shall give a name and post office address to which a reply may be sent, and it shall be sufficient if the information aforesaid is given by registered letter deposited in the post office within the said five days addressed to the person inquiring at his proper post office address.

“(3) In the event of the seller or bailor not replying as aforesaid, he shall not be permitted to set up any right of property or right of possession retained by him upon the sale or bailment, except as aforesaid, as against the person making the inquiry or his assigns, or as against any purchaser or mortgagee from or of him or them, in good faith and for valuable consideration, or as against judgments, executions or attachments against him or them.

“(4) Any person removing or defacing so as to be illegible any name attached to any such manufactured goods before payment or tender of the amount due in respect of such goods or performance of the conditions of the sale or bailment, shall be liable on summary conviction to a fine of not more than five hundred dollars and costs.”

5. This Act shall come into force on

No. 26

FOURTH SESSION
FIFTH LEGISLATURE
14 GEORGE V
1924

BILL

An Act to amend the Conditional
Sales Act:

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. BROWNLEE.

EDMONTON:
J. W. JEFFERY, KING'S PRINTER
A.D. 1924