

BILL

No. 50 of 1924.

An Act to amend The Statute Law.

(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 Statute Law Amendment Act, 1924.*"

2. *The Official Guardian Act*, being chapter 22 of the Revised Statutes of Alberta, 1922, is amended by adding sections 16 and 17 thereto as follows:

"**16.** The Lieutenant Governor in Council may, upon the recommendation of the Provincial Treasurer, authorize the Provincial Treasurer to advance to the Official Guardian from time to time by way of temporary loan from the general revenue fund of the Province such sums of money for such period and upon such terms and conditions as may be deemed requisite for the advantageous administration of any estate being administered by the Official Guardian pursuant to this Act.

"**17.** All costs received by the Official Guardian shall form part of the general revenue fund of the Province."

3. *The Small Debts Act*, being chapter 76 of the Revised Statutes of Alberta, 1922, is amended—

(a) as to section 2 thereof by striking out paragraph (a) thereof and substituting therefor the following:

"(a) 'Justice' shall mean—

(i) any police magistrate holding a subsisting appointment under and by virtue of *The Magistrates and Justices Act*;

(ii) any person holding office as a police magistrate under the provisions of *The Magistrates and Justices Act*;

(iii) any judge of the District Court."

(b) By striking out the words "fifty dollars" wherever they occur in the Act, and substituting therefor the words "one hundred dollars."

4. *An Act respecting The Edmonton, Dunvegan and British Columbia Railway*, being chapter 41 of the Statutes of Alberta, 1922, is amended as to section 2 thereof by striking out all words after the words "by a charge upon" where they occur in paragraph (a) thereof, and substituting therefor the words "the said extension in such form as the Lieutenant Governor in Council may approve."

5. *The Supplementary Revenue Act*, being chapter 40 of the Revised Statutes of Alberta, 1922, is amended as to section 10 thereof by adding to subsection (1) the following proviso:

"Provided that in the year one thousand nine hundred and twenty-four, and every fifth year thereafter, and not later than September first, the municipality may, under the provisions of its Act for assessment of land, make the assessment as is provided for in this section."

6. *The Railway Act*, being chapter 48 of the Revised Statutes of Alberta, 1922, is amended as to section 149 thereof by striking out the words "within the meaning of *The Domestic Animals Act*" where they occur in subsection (1) thereof.

7. *The Wild Lands Tax Act*, being chapter 31 of the Revised Statutes of Alberta, 1922, is amended by striking out section 8 thereof, and substituting therefor the following:

"8.—(1) All money collected under the provisions of this Act shall be paid to the Minister within ten days after the end of each month in which any money is received, and shall be accompanied by a statement showing the several amounts collected, and the lands from which such amounts were collected.

"(2) A commission shall be paid to each municipal district of five per cent of the amount actually collected by it under the provisions of this Act."

8. *The Medical Profession Act*, being chapter 209 of the Revised Statutes of Alberta, 1922, is amended as to section 34 thereof by striking out the first five lines of subsection (9) thereof, and substituting therefor the following:

"(9) The council shall admit upon the register a graduate of any medical school or college, or of the faculty of medicine of any university approved by the Senate of the University of Alberta."

9. *The Drainage Districts Act*, 1921, being chapter 46 of the Revised Statutes of Alberta, 1922, is amended as to section 63 thereof by striking out the words "of the municipality" where they occur in subsection (2) thereof.

10. *The Alberta Surveys Act*, being chapter 141 of the Revised Statutes of Alberta, 1922, is amended by striking out section 37 thereof, and substituting therefor the following:

"37.—(1) All surveys made under this Act must be made in person on the ground by the surveyor certifying to the correctness thereof, and a certificate in form A in the schedule to this Act attached to any plan of a survey shall mean that the survey represented by such plan has been actually carried out by the surveyor so certifying, under his personal supervision and direction on the ground, during the whole time that the survey was in progress, and the survey has been fully posted and completed on the ground, and that the system of survey employed has been in all respects in accordance with all the provisions of this Act.

"(2) Any Alberta land surveyor who violates the provisions of this section in making a survey in the field, whether he has signed a certificate in form A or not, shall be liable under section 38 of *The Alberta Land Surveyors Act*, being chapter 208 of the Revised Statutes of Alberta, 1922, to a charge of misconduct in the execution of the duties of his office, and be subject to the provisions of the said section 38, and be liable to dismissal or suspension, as provided in the said section."

11. *The Stock Inspection Act*, 1922, being chapter 69 of the Revised Statutes of Alberta, 1922, is amended as to section 24 thereof by striking out the words "correct list of brands on cattle" where they occur in subsection (2) thereof, and substituting therefor the words "correct list of brands on stock."

12. *The Automobile Insurance Policy Act*, being chapter 45 of the Statutes of Alberta, 1923, is amended as to section 2 thereof by striking out the words "damage in an automobile" where they occur in paragraph (b) thereof, and substituting therefor the words "damage to an automobile."

13. *The Public Highways Act*, being chapter 45 of the Revised Statutes of Alberta, 1922, is amended by striking out the words "market roads" and "market road" wherever they occur in the said Act, and substituting therefor the words "main market roads" and "main market road," respectively.

14. *The Minimum Wage Act*, being chapter 181 of the Revised Statutes of Alberta, 1922, is amended—

(a) as to section 10 thereof—

(i) by striking out the words "shall determine the time or times" where they occur in subsection (1) thereof, and substituting therefor the words "may determine the time or times";

(ii) by adding as subsection (3) thereof the following:

"(3) Where, by reason of the season of the year or otherwise, it seems advisable, the board may temporarily increase the working hours for any class of employees and determine the rate at which such overtime shall be remunerated, and may temporarily increase the number of apprentices which may be employed in any trade or occupation."

(b) As to section 11 thereof by striking out subsection (1), and substituting therefor the following:

"11.—(1) The Minister may appoint inspectors or authorize any person to enter upon any premises whereon any employee is employed and to question any employee apart from her employer with the object of ascertaining whether any order made under this Act is being carried out."

(c) As to section 12 thereof by striking out the words "not exceeding five hundred dollars and not less than twenty-five dollars" where they occur in subsection (1) thereof, and substituting therefor the words "not exceeding five hundred dollars and costs and not less than twenty-five dollars and costs."

(d) By adding section 12a thereto as follows:

"12a. Every employer who disobeys any order made by the board, other than an order establishing a minimum wage, or hinders or prevents the entry of an inspector or other person authorized to enter upon premises under the provisions of this Act, or contravenes any regulation made under the provisions of this Act, shall, upon summary conviction, be liable—

"(a) for a first offence, to a penalty of not less than twenty dollars nor more than one hundred dollars and costs;

"(b) for a second offence, to a penalty of not less than seventy-five dollars nor more than two hundred and fifty dollars and costs;

"(c) for a third offence, to a penalty of not less than one hundred dollars nor more than five hundred dollars and costs, with or without imprisonment for a period not exceeding one month."

(e) By adding section 14a thereto as follows:

"14a. Every employer shall, upon request, give to any apprentice who has been employed by him and has left his employment, a written statement of the time of such employment."

15. *The Alberta Land Surveyors Act*, being chapter 208 of the Revised Statutes of Alberta, 1922, is amended—

(a) as to section 3 thereof by adding subsection (2) thereto as follows:

"(2) Any person who violates the provisions of

subsection (1) hereof, and any person, not being a duly registered Alberta land surveyor, who acts as a surveyor of lands, or establishes or causes to be established iron posts or monuments, within the meaning of and for the use and purposes of *The Alberta Surveys Act*, being chapter 141 of the Revised statutes of Alberta, 1922, or accepts payment for the establishment of land boundaries affecting the title to land, except such person be acting as an assistant to, and under the immediate supervision of a duly registered Alberta land surveyor, who was present on the ground at the time of such survey, shall be guilty of an offence against this Act, and liable, on summary conviction, to a penalty of not less than forty dollars and not more than one hundred dollars."

- (b) As to section 38 thereof by striking out the words "gross negligence or corruption in the execution of the duties of his office" where they occur in subsection (1) thereof.

16. *The Mental Defectives Act*, being chapter 224 of the Revised Statutes of Alberta, 1922, is amended—

- (a) as to section 3 thereof by striking out the words "established at Oliver, Alberta," where they occur therein;
- (b) as to section 13 thereof by adding subsection (4) thereto as follows:
 "(4) Any mentally defective person placed by order of the Minister or otherwise admitted may be paroled to the custody of friends, if, in the opinion of the Superintendent, after due inquiry, such course would be in the interests of the mentally defective person and the public."

17. *The Dental Profession Act*, being chapter 204 of the Revised Statutes of Alberta, 1922, is amended as to section 28 thereof by adding thereto the following: "unless the same be true in substance and in fact."

18. *The Municipal Hospitals Act*, being chapter 116 of the Revised Statutes of Alberta, 1922, is amended—

- (a) as to section 17 thereof by striking out the words and figures "sections 16 or 56" where they occur therein and substituting therefor the words and figures "section 16 and subsection (3) of section 28";
- (b) as to section 43 thereof by adding subsection (2a) thereto as follows:
 "(2a) The appointment of a secretary or secretary-treasurer, or any other officer, shall be subject to the approval of the Minister, who shall forthwith be advised by letter, and the Minister may confirm the appointment or disallow the same, in which case the board shall, at its regular meeting (or if there

be no regular meeting, within one month after receipt by the secretary of such disallowance, then at a special meeting called for that purpose and held within the said period of one month), appoint another person as secretary or secretary-treasurer, or any other officer, subject to the Minister's approval as aforesaid."

19. *An Act respecting the Assessment and Collection of Taxes in the Town of Stettler*, being chapter 24 of the Statutes of Alberta, 1913, is hereby repealed, but such repeal shall not affect any confirmation of any by-law contained therein.

20. *The Alberta Pharmaceutical Association Act*, being chapter 203 of the Revised Statutes of Alberta, 1922, is amended by striking out section 33 thereof and substituting therefor the following:

"33. Nothing in this Act shall prevent any person in any place where there is no druggist who habitually keeps a sufficient supply of gopher poison, who has received a permit so to do from any member of the Alberta Police force, from selling strychnine or other poison for the destruction of gophers to a member of a 'local union' of the United Farmers of Alberta or to a resident of a municipal district, town or village, provided that such poison is sold in packages labelled with the name of the article and the word 'poison,' and provided further that the seller shall make an entry in a book to be kept for that purpose, stating the date of the sale, the name and address of the purchaser, the name and quantity of the article sold and the purpose for which it was stated by the purchaser to be required, to which entry the signature of the purchaser shall be affixed."

21. *The Electrical Protection Act*, being chapter 192 of the Revised Statutes of Alberta, 1922, is amended as to section 6 thereof by adding at the end of the first proviso the words "or until such later date as may, with respect to any plant and under special circumstances, be prescribed from time to time by the board."

22. *The Municipal District Act*, being chapter 110 of the Revised Statutes of Alberta, 1922, is amended—

- (a) as to section 2 thereof by striking out the word "thereon" where it occurs at the end of paragraph (g) thereof;
- (b) as to section 203 thereof—
 - (i) by striking out in subsection (1) thereof the words "the two preceding sections" and substituting therefor the words "the three preceding sections";
 - (ii) by striking out in subsection (4) thereof the words "Minister of Health," and substituting therefor the words "Minister of Municipal Affairs";

- (c) as to section 226 thereof—
 - (i) by striking out the word “thereon” where it occurs at the end of subsection (1) thereof;
 - (ii) by adding as subsection (2) thereof the following:

“(2) Subject to the provisions of this Act and of *The School Assessment Act* the property liable to taxation for school purposes shall be the property which is liable to taxation for municipal purposes, or which would be liable for taxation for municipal purposes if situated within a city or town;

“Provided however that farm buildings and other farm improvements on unsubdivided farm lands, and live stock and farm implements used and kept on a farm shall be exempt from taxation for school purposes.”
 - (iii) by changing subsection (2) to (3).
- (d) as to section 228 thereof—
 - (i) by striking out the words “one thousand nine hundred and twenty” where they occur in subsection (1) thereof, and substituting therefor the words “one thousand nine hundred and nineteen”; and by striking out the words “first day of June where they occur in the subsection, and substituting therefor the words “last day of August”;
 - (ii) by striking out the words “first day of June” wherever they occur in subsection (4) thereof, and substituting therefor the words “first day of September”;
 - (iii) by adding as subsection (5) thereof the following:

“(5) Land assessed under the provisions of the preceding subsection shall be assessed so that its assessment value shall bear a true and just proportion to the value at which the lands in the municipal district were assessed at the time of making the immediately preceding quinquennial assessment.”

23. *The Dairyman's Act*, being chapter 162 of the Revised Statutes of Alberta, 1922, is amended by adding the following section as section 49 thereof:

“**49.**—(1) Notwithstanding any other provision in this Act or any other Act all revenue derived from cream grading services shall be deposited in a special trust fund to be called ‘The Provincial Treasurer’s Cream Graders’ Account,’ out of which the Dairy Commissioner shall pay all proper expenditures or charges for cream grading service.

“(2) Nothing in this section shall be interpreted as rescinding any authority given to the Provincial Treasurer or the Minister of Agriculture with respect to the purchase, marketing or grading of butter or cream in *The Agriculture Department Amendment Act*, 1923.”

No. 50.

FOURTH SESSION
FIFTH LEGISLATURE
14 GEORGE V
1924

BILL

An Act to amend The Statute Law.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. BROWNLEE.

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