

BILL

No. 78 of 1928.

An Act to amend The Woodmen's Lien Act.

(Assented to _____, 1928.)

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 Woodmen's Lien Act Amendment Act, 1928.*"

2. *The Woodmen's Lien Act*, being chapter 185 of the Revised Statutes of Alberta, 1922, is amended as to section 2 thereof—

- (a) by adding at the end of paragraph (b) thereof, the words "and also the supply of articles of food to any person entering into a contract as set out in section 3 whilst engaged in the performing of such contract"; and
- (b) by inserting after the word "timber" where it occurs for the second time in paragraph (c) thereof, the word "lumber."

3. Section 6 of the said Act is struck out and the following substituted therefor:

"**6.**—(1) Any person performing any labour, service, or services in connection with any logs or timber within this Province shall have a lien for the amount due to such person for such labour, service or services upon—

- "(a) Any logs or timber in respect of which such labour, service or services were rendered;
- "(b) Any other logs belonging to the same owner which have been mixed with any of the logs or timber last before mentioned; and
- "(c) Any lumber made out of any of the logs or timber aforesaid so long as such lumber is at the date of the filing of a lien or the commencement of any other proceedings under this Act—
 - "(i) either upon the premises of the mill where the same was milled or at or near any railway siding or spur track; and
 - "(ii) has not been loaded on cars for delivery to or been delivered to a *bona fide* purchaser for value without notice of the lien.

“(2) The said lien shall be a first lien or charge upon the said logs, timber and lumber and shall have precedence over all other claims or liens thereon, except only claims of the Crown for dues or charges.

“(3) Any provision in any contract or agreement purporting to deprive any person of the said lien shall be null and void and of no effect.

“(4) In this section the expression ‘person’ shall include clerks, timekeepers, storekeepers, cooks, blacksmiths, artisans and all others usually employed in connection with such labor, service or services.”

4. Sections 7(1), 8, 9, 10, 13(2), 15, 18, 21, 22, 24, 26, 27 and the schedule of the said Act are amended by striking out the words “logs and timber” where they occur therein, and substituting therefor the words “logs, timber or lumber.”

5. Section 13 of the said Act is amended as to subsection (1) thereof—

(a) by striking out paragraph (a) and substituting therefor the following:

“(a) That he has good reason to believe and does believe that the logs, timber or lumber upon which he claims a lien are about to be removed out of the Province of Alberta;”

(b) by striking out paragraph (c) and substituting therefor the following:

“(c) That the logs, timber or lumber upon which he claims a lien are about to be disposed of or dealt with in such a way that the same cannot be identified.”

6. This Act shall come into force upon Proclamation by the Lieutenant Governor in Council.

No. 78.

SECOND SESSION
SIXTH LEGISLATURE
18 GEORGE V
1928

B I L L

An Act to amend The Woodmen's
Lien Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. BROWNLEE.

EDMONTON:
W. D. McLEAN, ACTING KING'S PRINTER
A.D. 1928