

Bill No. 47 of 1935.

A BILL TO AMEND THE POSSESSORY LIENS ACT.

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NOTE.

This Bill makes provision for the settlement of disputes arising as to property subject to possessory liens, in a summary manner.

R. ANDREW SMITH,  
*Legislative Counsel.*

*(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)*

# BILL

No. 47 of 1935.

An Act to amend The Possessory Liens Act.

(Assented to \_\_\_\_\_, 1935.)

**H**IS 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 Possessory Liens Act Amendment Act, 1935.*"

**2.** *The Possessory Liens Act*, being chapter 104 of the Revised Statutes of Alberta, 1922, is hereby amended as to section 9 thereof by striking out subsection (4) thereof.

**3.** The said Act is further amended by inserting therein, immediately after section 9a thereof, the following new section:

"**9b.** When any dispute arises between any person who claims to be entitled to a possessory lien upon any chattel and the bailor or any other person who claims to be entitled to any right either of property in or possession to the chattel, as to the validity of the possessory lien, or the amount lawfully payable to discharge the same, or the title to, or the right of possession of the chattel, any party may apply to the judge to hear and determine the dispute upon giving such notice to such persons and in such manner as the judge may in his discretion direct; and thereupon the judge may either direct that an action be brought to determine the matter or proceed to hear and determine the dispute in a summary manner and for that purpose may take evidence, either orally or by affidavit, as he may deem proper, and may make such order as to the matters in dispute between the parties to the application and the costs of the application as he may deem just and proper in the circumstances; and his decision shall be binding and conclusive upon all persons served with notice of the application and there shall be no appeal therefrom."

**4.** The Act shall come into force on the day upon which it is assented to.

No. 47.

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FIFTH SESSION  
SEVENTH LEGISLATURE  
25 GEORGE V  
1935

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**B I L L**

An Act to amend The Possessory  
Liens Act.

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. LYMBURN

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EDMONTON:  
W. D. McLEAN, KING'S PRINTER  
1935