

Bill No. 60 of 1935.

A BILL TO AMEND THE SEIZURES ACT.

---

NOTE.

Section 2 provides for the sending of notices of sale by registered mail.

Section 3 extends the right of interpleader relief to cases of distress and seizures under distress.

Section 4 empowers the Lieutenant Governor in Council to vary the fees payable to the Clerk of the Court and to the sheriff.

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. 60 of 1935.

An Act to amend The Seizures 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 Seizures Act Amendment Act, 1935.*"

2. *The Seizures Act*, being chapter 16 of the Statutes of Alberta, 1933, is hereby amended as to section 16 thereof by striking out the words "shall be sent by mail", where the same occur therein, and by substituting therefor the words "shall be sent by registered mail".

3. The said Act is further amended as to section 19 thereof by striking out the same and by substituting therefor the following:

"19.—(1) Where upon the levying or making of any distress or seizure under any distress a claim in writing is made to or in respect of the property seized or any part thereof, the sheriff shall proceed as if the claim were made to or in respect of goods taken in execution under process of the court and the person directing the distraint or seizure were an execution creditor; and the Rules of Court applicable to interpleader by a sheriff shall apply to procedure by the sheriff under this section.

"(2) The right of the sheriff to interpleader relief under the Rules of Court shall not be affected by the fact that the sheriff has been furnished with any security which he is permitted to require pursuant to any provisions of this Act."

4. The said Act is further amended as to section 44 thereof by striking out the same and by substituting therefor the following:

"44.—(1) The fees, costs and charges which may be made by the Clerk of the Court and the sheriff respectively in relation to any seizure and which may be chargeable against the debtor shall be the amounts set out in the tariff in the schedule to this Act or such other or different amounts as may be from time to time prescribed by the Lieutenant Governor in Council.

"(2) The Lieutenant Governor in Council is empowered to alter, modify and amend from time to time the said tariff by increasing or reducing any of the charges set out therein

and by adding new items thereto and prescribing the fees chargeable in respect thereof as may from time to time be deemed expedient.

“(3) Every order made pursuant to this section shall be published in *The Alberta Gazette*, and thereupon shall have the same force and effect as if the same had been expressly enacted as a part of this Act, and shall be laid before the Legislative Assembly within fifteen days after the commencement of the session next following the date of publication.”

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

No. 60.

---

FIFTH SESSION  
SEVENTH LEGISLATURE  
25 GEORGE V  
1935

---

**B I L L**

An Act to amend The Seizures Act.

---

Received and read the

First time.....

Second time.....

Third time.....

---

HON. MR. LYMBURN

---

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