

Bill No. 44 of 1936.

A BILL TO AMEND THE DISTRICT COURTS ACT.

NOTE.

The amendments made by this Bill are designed to remove difficulties arising out of the amendments made to *The District Courts Act* by chapter 15 of 1933.

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. 44 of 1936.

An Act to amend The District Courts Act.

(Assented to _____, 1936.)

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 District Courts Act Amendment Act, 1936.*"

2. *The District Courts Act*, being chapter 73 of the Revised Statutes of Alberta, 1922, is hereby amended as to section 2 thereof by inserting therein, immediately after paragraph (e) thereof, the following new paragraph:

"(e1) 'District', except where it appears in the name of the court, means judicial district or subjudicial district, as the case may be;"

3. The said Act is further amended as to section 6 thereof by striking out the words "may require", where the same occur in subsection (1) thereof, and by substituting therefor the words "may require in each judicial district".

4. The said Act is further amended as to section 14 thereof by striking out the words "of a judicial district", where the same occur therein, and by substituting therefor the words "in a judicial district".

5. The said Act is further amended as to section 16 thereof by striking out the words "to every District Court", where the same occur therein, and by substituting therefor the words "of the court in each district".

6. The said Act is further amended as to section 29a thereof,—

(a) by striking out the words "with the leave of the judge of the district in which the defendant or one of the defendants so resided or carried on business, be commenced and carried on in the judicial district in which the cause of action arose", where the same occur in paragraph (b) thereof, and by substituting therefor the words "upon application to a judge in the judicial district in which the defendant or one of the defendants so resided or carried on business, be commenced and carried on in the judicial district in which the cause of action arose";

(b) by striking out the words "of the district in which the cause of action arose may order", where the same occur in paragraph (c) thereof, and by sub-

stituting therefor the words "upon application to him in the district in which the cause of action arose may order".

7. The said Act is further amended by inserting therein, immediately after section 55 thereof, the following new section:

"55a. The district court shall have generally all the jurisdiction, powers and authority which prior to its organization were by any law, order or regulation vested in or capable of being exercised by the district court of a judicial district, by a district court judge or by a judge of the district court within the Province, and where in any statute or ordinance or any order or regulation made thereunder reference is made to a district court of a judicial district, a district court judge or a judge of the district court or to any court which may after the passing of such statute, act or ordinance be constituted exercising within the Province the jurisdiction, powers or authority at the date of the passing of such statute, act or ordinance therein by the district court of any judicial district, a district court judge or a judge of the district court such reference shall, after the coming into force of this Act, be taken to mean and refer to the court by this Act established and to a judge of such court respectively."

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

No. 44.

FIRST SESSION
EIGHTH LEGISLATURE
1 EDWARD VIII
1936

BILL

An Act to amend The District Courts
Act.

Received and read the

First time

Second time

Third time

HON. MR. HUGILL.

EDMONTON:
A. Shnitka, King's Printer
1936