

BILL

No. 106 of 1936.

An Act to amend The Legal Profession 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 Legal Profession Act Amendment Act, 1936.*"

2. *The Legal Profession Act*, being chapter 206 of the Revised Statutes of Alberta, 1922, is hereby amended as to section 17 thereof by striking out subsection (2) thereof and by substituting therefor the following:

"(2) In case a poll is necessary the secretary shall, not later than the second Tuesday of October, preceding the day of election, send to each member of the society in good standing, at his last known place of residence, a list of the candidates so nominated, arranged in alphabetical order, accompanied by one copy of a voting paper in Form A in the schedule to this Act containing a list of the candidates so nominated arranged in alphabetical order."

3. The said Act is further amended as to section 18 thereof by striking out the same and by substituting therefor the following:

"**18.** In the event of any elector voting for more candidates than the number of benchers to be elected, such voting paper shall not be counted."

4. The said Act is further amended as to section 59 thereof by striking out the words commencing with the words "Provided that" to the end of the section.

5. The said Act is further amended by inserting therein, immediately after section 59 thereof, the following new section:

"**59a.**—(1) Any person not being a barrister and solicitor who for or in expectation of any fee, gain or reward either directly or indirectly draws or prepares any instrument relating to real or personal estate or any legal proceeding or to the incorporation of joint stock companies shall be liable on summary conviction to a fine not exceeding one hundred dollars.

"(2) Notwithstanding anything in any Act contained, proceedings in respect of any offence under this section may be brought at any time within two years next after the commission of the offence or within six months next after the first discovery thereof by the prosecutor, whichever period is the shorter.

“(3) This section shall not extend to,—
“(a) any public officer drawing or preparing instruments in the course of his duty; or
“(b) any person employed merely to engross any instrument or proceeding.

“(4) For the purpose of this section the expression ‘instrument’ does not include,—
“(a) a letter or power of attorney; or
“(b) a transfer of stock containing no trust or limitation thereof.”

6. The said Act is further amended by repealing sections 60 to 74 thereof, both inclusive.

7. The said Act is further amended as to the schedule thereto by striking out Form A thereof and by substituting therefor the following:

“FORM A.
“(Section 17).
“THE LAW SOCIETY OF ALBERTA
“VOTING PAPER.

“Election of Benchers, 19
“I, _____, of _____,
in the Province of Alberta, Barrister and Solicitor, do hereby declare:

- “1. That the signature hereto is my proper handwriting;
- “2. That I now reside at _____;
- “3. That I have placed a cross opposite the names of those persons for whom I desire to vote as Benchers of the Law Society;

“A.B. _____ of _____

“C.D. _____ of _____

“E.F. _____ of _____

“G.H. _____ of _____

“4. That I have signed no other voting paper at this election;

“5. That this voting paper was executed on the day of the date thereof.

“Witness my hand this _____ day of _____, A.D. 19_____”

No. 106.

FIRST SESSION
EIGHTH LEGISLATURE
1 EDWARD VIII
1936

BILL

An Act to amend The Legal
Profession Act.

Received and read the

First time

Second time

Third time.....

HON. MR. HUGILL.

EDMONTON:
A. Shnitka, King's Printer
1936