

# BILL

No. 88 of 1939.

An Act to Amend The Intestate Succession Act, 1928.

(Assented to \_\_\_\_\_, 1939.)

**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 Intestate Succession Act, 1928, Amendment Act, 1939.*"

**2.** *The Intestate Succession Act, 1928*, being chapter 17 of the Statutes of Alberta, 1928, is hereby amended by inserting therein immediately after section 16 the following new section:

"**16a.**—(1) Where a person who is a male dies intestate as to the whole or any part of his estate, leaving no widow or lawful issue, but who is survived by illegitimate children, and the Supreme Court of Alberta or a judge thereof, upon an application made by the executor, administrator or trustee or by any person claiming to be an illegitimate child, declares after due enquiry that the intestate has acknowledged the paternity of such illegitimate children or such person has been declared to be the father by any order made pursuant to any of the provisions of *The Children of Unmarried Parents Act*, such illegitimate children and their issue shall inherit from such person the estate in respect of which there is an intestacy as if they were the legitimate children of such person.

"(2) For the purposes of this section an intestate male person shall be deemed to have left no widow if she had left him and was at the time of his death living in adultery.

"(3) This section shall apply to every such person as aforesaid who dies at any time after the first day of January, 1936, whose estate has not been fully distributed as at the first day upon which this section comes into force, and in case the same has been partially distributed to the extent that the same is undistributed on the day upon which this section comes into force."

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

No. 88.

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EIGHTH SESSION  
EIGHTH LEGISLATURE  
3 GEORGE VI  
1939

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**BILL**

An Act to Amend The Intestate  
Succession Act, 1928.

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. ABERHART.

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EDMONTON:  
A. Shnitka, King's Printer