

Bill No. 74 of 1942.

A BILL TO AMEND THE DISTRICT COURTS ACT.

NOTE.

This amendment is to enable a Chief Judge to be appointed for each of the Courts established under *The District Courts Act*, namely the District Court of Northern Alberta, and the District Court of Southern Alberta.

W. S. GRAY,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 74 of 1942.

An Act to amend The District Courts Act.

(Assented to _____, 1942.)

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, 1942.*"

2. *The District Courts Act*, being chapter 73 of the Revised Statutes of Alberta, 1922, is hereby amended as to section 2 by inserting immediately after the words "any judge", where they occur in the second line of paragraph (f) thereof, the words "including the Chief Judge".

3. The said Act is further amended as to section 4 thereof by striking out the words "shall consist of five judges", where they occur in the second line of the said section and by substituting therefor the following words: "shall consist of a Chief Judge and four other judges".

4. The said Act is further amended as to section 5 by striking out the words "shall consist of five judges", where they occur in the second line thereof, and by substituting therefor the following words: "shall consist of a Chief Judge and four other judges".

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

"**5a.** The Chief Judge of the District Court of the District of Northern Alberta shall reside in the City of Edmonton and the Chief Judge of the District Court of the District of Southern Alberta shall reside in the City of Calgary.

"**5b.** If a judge of the District of Northern Alberta or of the District of Southern Alberta dies, resigns his office, is transferred to another court, is absent through illness or for any other cause is unable to perform the duties of his office, then the remaining judges shall constitute the court until another judge is appointed or until a proclamation of the Lieutenant Governor in Council is issued, decreasing the number of judges constituting the court, pursuant to the provisions of section 7 hereof."

6. The said Act is further amended by striking out section 8 thereof and by substituting therefor the following:

“8. It shall be the duty of a district court judge in the district to which he is appointed to hold sittings at such places and at such times as he may from time to time be directed by the Chief Judge of the District Court of the district and, upon the request of the Attorney General, to hold any of the courts in the district other than that to which he is appointed or to perform any other duty of a district court judge in such other district, and while so acting in compliance with such request, he shall possess all the powers and authority of a district court judge of such other district.”

7. This Act shall come into force on a day to be fixed by proclamation of the Lieutenant Governor in Council.

No. 74.

SECOND SESSION
NINTH LEGISLATURE
6 GEORGE VI
1942

BILL

An Act to amend The District
Courts Act.

Received and read the

First time

Second time.....

Third time.....

HON. MR. MAYNARD.

EDMONTON:
A. Shnitka, King's Printer
1942