

Bill No. 15 of 1943.

A BILL TO AMEND THE DISTRICT COURTS ACT.

NOTE.

Section 27 of *The District Courts Act* provides that parties to an action may agree that the Court shall have jurisdiction to try a claim otherwise beyond the jurisdiction of the Court. No similar provision is made with regard to a counterclaim. The new section inserted by this amendment is to provide that the parties may agree to the jurisdiction of the Court in the cases both of actions and of counterclaims.

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. 15 of 1943.

An Act to amend The District Courts Act.

(Assented to _____, 1943.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The District Courts Act*, being chapter 121 of the Revised Statutes of Alberta, 1942, is hereby amended by striking out section 27 thereof and substituting therefor the following:

“**27.** Notwithstanding anything in this Act contained the District Courts shall have jurisdiction to try any action or counterclaim when the plaintiff and defendant, before the issue of the statement of claim or the filing of the counterclaim respectively, agree by memorandum in writing, signed by them and filed prior to the issuing of the statement of claim or the filing of the counterclaim, as the case may be, that the Court named in such memorandum shall have power to try the action or counterclaim, but such agreement shall not prejudice or affect any right of appeal of any of the parties.”

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

THIRD SESSION
NINTH LEGISLATURE
7 GEORGE VI
1943

BILL

An Act to amend The District
Courts Act.

Received and read the

First time

Second time.....

Third time.....

HON. MR. ABERHART.

EDMONTON:
A. Shnitka, King's Printer
1943