

Bill No. 54 of 1947.

A BILL TO VALIDATE AND CONFIRM AN AGREEMENT ENTERED INTO THE NINTH DAY OF JANUARY, 1947, BETWEEN THE TOWN OF LACOMBE, THE MUNICIPAL DISTRICT OF LACOMBE, THE LACOMBE AND DISTRICT COMMUNITY HOSPITAL BOARD AND THE BOARD OF TRUSTEES OF THE LACOMBE MUNICIPAL HOSPITAL DISTRICT.

NOTE.

This Bill validates as from January 1st, 1947, an agreement made between the Town of Lacombe, the Municipal District of Lacombe, the Lacombe and District Community Hospital Board and the Board of Trustees of the Lacombe Municipal Hospital District, a copy of which agreement appears as a schedule. The circumstances leading up to this agreement are set out in the preambles to the Bill and to the agreement. In brief, the newly established Lacombe Municipal Hospital District consisting of the Town of Lacombe, the Village of Blackfalds and a portion of the Municipal District of Lacombe acquires the property of the Lacombe and District Community Hospital which was established by an agreement between the Municipal District of Crown and the Town of Lacombe, which agreement was validated by chapter 10 of the Statutes of Alberta for 1937 (Second Session). The Municipal District of Crown became part of the enlarged Municipal District of Lacombe which automatically assumed the liabilities of Crown which, however, are realized by levy directed only against property in a limited portion of Lacombe municipality. Under the agreement now validated the new Municipal Hospital District assumes the liability of the Municipal District of Lacombe to the Town of Lacombe and the town releases the Municipal District of Lacombe from further liability.

W. S. GRAY,
Legislative Counsel.

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

BILL

No. 54 of 1947.

An Act to Validate and Confirm an Agreement entered into the Ninth Day of January, 1947, between the Town of Lacombe, the Municipal District of Lacombe, the Lacombe and District Community Hospital Board and the Board of Trustees of the Lacombe Municipal Hospital District.

(Assented to _____, 1947.)

WHEREAS by an agreement made between the Town of Lacombe and the Municipal District of Crown, No. 399, dated the 23rd day of April, 1937, provision was made for the establishment and operation of a hospital to be known as "The Lacombe and District Community Hospital"; and

Whereas the said agreement was validated and confirmed by chapter 10 of the Statutes of Alberta, 1937 (Second Session), in the Schedule of which Act the said agreement is set out; and

Whereas the area comprising the Municipal District of Crown was included in the enlarged Municipal District of Lacombe, No. 398, and by chapter 18 of the Statutes of Alberta, 1945, the agreement hereinbefore referred to was declared to be amended in certain respects whereby the benefit received by the Municipal District of Lacombe was deemed to be with respect to the residents of the area described in section 2 of the said Act and the liability to a special rate to raise the amounts provided for in said agreement was limited within the said described area; and

Whereas pursuant to *The Municipal Hospitals Act* the Lacombe Municipal Hospital District has been established by order of the Municipal Hospital District, the area of which is set out in the agreement in the Schedule; and

Whereas an agreement as set out in the Schedule has been duly executed between the Town of Lacombe, the Municipal District of Lacombe, the Lacombe and District Community Hospital Board and the Board of Trustees of the Lacombe Municipal Hospital District, and it is deemed necessary and advisable to have the said agreement validated by the Legislature:

Now therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. Notwithstanding anything contained in any other Act, or in the agreement dated the 23rd day of April, 1937, as amended, the agreement dated the 9th day of January, 1947,

made between the Town of Lacombe, The Municipal District of Lacombe, the Lacombe and District Community Hospital Board and the Board of Trustees of the Lacombe Municipal Hospital District, which is set out in the Schedule to this Act, is hereby validated and confirmed.

2. This Act shall come into force on the day upon which it is assented to and upon so coming into force it and the agreement set out in the Schedule shall be deemed to have been in force at all times on and after the first day of January, 1947.

This Agreement made in quadruplicate this 9th day of January, A.D. 1947.

Between:

The Town of Lacombe (hereinafter called
"the town"),
of the First Part,

and

The Municipal District of Lacombe, No.
64 (hereinafter called "the municipal
district"),
of the Second Part,

and

The Lacombe and District Community
Hospital Board (hereinafter called "the
community hospital"),
of the Third Part,

and

The Board of Trustees of The Lacombe
Municipal Hospital District, No. 54 (here-
inafter called "the municipal hospital"),
of the Fourth Part.

Whereas by an agreement entered into on the twenty-third day of April, 1937, between the town and the municipal district of Crown it was provided,—

(a) that the town would provide a board to be constituted with the money requisite to erect, complete and equip a hospital according to plans and specifications to be approved by the town and the municipal district of Crown, the said required amount being estimated at the sum of Thirty Thousand Dollars (\$30,000.00) or thereabouts, and that the town would provide a free site for the new hospital and would proceed to issue debentures in the sum of Thirty Thousand Dollars (\$30,000.00), bearing interest at six per cent per annum repayable in fifteen equal aggregate annual instalments of principal and interest amounting to Three Thousand and Eighty-Eight Dollars and Eighty-Six Cents

(\$3,088.86) for the purpose of providing the necessary funds for the erection, completion and equipment of the said hospital;

(b) that upon the town selling the said debenture issue of Thirty Thousand Dollars (\$30,000.00) or obtaining the said sum by any other means, the municipal district of Crown would contribute towards the cost of the erection, completion and equipment of the said hospital the sum of Twenty Thousand Dollars (\$20,000.00) and interest payable in fifteen equal annual instalments of blended principal and interest amounting to Two Thousand and Fifty-Nine Dollars and Twenty-Four Cents (\$2,059.24), provided that the interest should be at the same rate as would be actually paid by the town in respect of the aforesaid sum borrowed by the town;

(c) that the duty of erecting, completing and equipping the hospital and its subsequent operations should be upon the hospital board consisting of five members, two representing the town and three representing the municipal district of Crown;

And whereas the town did sell the debentures in the sum of Thirty Thousand Dollars (\$30,000.00) and has from year to year paid the annual instalments required by the said agreement;

And whereas the municipal district of Crown has paid from year to year to the town its annual share provided in the said agreement;

And whereas the said agreement was validated and confirmed by enactment of the Legislature of the Province, being chapter 10 of the Second Session of the year 1937 whereby the Board of Management of the Lacombe and District Community Hospital provided for in the said agreement was constituted as a body corporate with all the powers and duties mentioned in the said agreement;

And whereas it was provided by the said agreement that it should continue in full force and effect so long as any sum payable by the municipal district of Crown pursuant to the agreement or any sum which the municipal district of Crown might become liable to pay on account of any capital expenditure in respect of the hospital remains owing and unpaid;

And whereas there still remains owing and unpaid by the town pursuant to the terms of the said agreement four annual instalments of One Thousand and Twenty-nine Dollars and Sixty-two Cents (\$1,029.62) each;

And whereas subsequent to the making of the said agreement the municipal district of Crown became pursuant to the provisions of *The Municipal District Act* a part of the enlarged municipal district of Lacombe, and there is still owing and unpaid by the municipal district to the town pursuant to the terms of the said agreement four annual instalments of Two Thousand and Fifty-nine Dollars and Twenty-four Cents (\$2,059.24) each;

And whereas by subsequent legislation, being chapter 12 of the Statutes of Alberta, 1940, and chapter 18 of the Statutes of Alberta, 1945, provision was made whereby the levy to be made by the municipal district of Crown and afterwards by the municipal district of Lacombe should be limited to property in a certain specified area within the municipality for the benefit of the residents of which the said agreement was deemed to have been made;

And whereas pursuant to the provisions of *The Municipal Hospitals Act* the Lacombe Municipal Hospital District was established by order of the Minister of Health, the area of the said hospital district to consist of,—

(a) that portion of the municipal district of Lacombe more particularly described as follows:

All of Townships 39, 40, and 41, Range 25; that part of Township 39, lying to the north and east of the Red Deer River, and all of Townships 40 and 41, Range 26; that part of Section 13, lying north of the Blindman River; the north half of Section 14; the north-east quarter of Section 15; the north half of Section 16, and all of Sections 17 to 36 inclusive in Townships 40 and 41, Range 27; all West of the Fourth Meridian.

All of Sections 13 and 14; the north half of Section 15; the fractional north half of Section 20; the north half of the south-east quarter of Section 21; that part of the south-west quarter of Section 21, lying north of the Blindman River; the north half of Section 21; and Sections 22 to 29 inclusive, and Sections 32 to 36 inclusive in Township 39; and all of the fractional portions of Townships 40 and 41, Range 28, excepting therefrom all summer resort subdivisions; West of the Fourth Meridian,

(b) the town of Lacombe;

(c) the village of Blackfalds;

And whereas a scheme was duly prepared under the provisions of *The Municipal Hospitals Act* with respect to the said hospital district and was submitted to the ratepayers of the area comprised in the hospital district and was duly ratified by the ratepayers;

And whereas it was provided in the said scheme that the hospital district would acquire the community hospital for the sum of One Dollar;

And whereas in the said scheme it was further provided that requisitions should be made upon the municipal district of Lacombe, the town of Lacombe and the village of Blackfalds for the sums set out in the scheme, which annual requisitions would provide in addition to the estimated expenses of the hospital, an amount required for the payment to the town of Lacombe of the four annual instalments owing to the town under the agreement hereinbefore referred to:

Now therefore this agreement witnesseth as follows:

1. The community hospital in consideration of the premises and of the covenant by the municipal hospital hereinafter contained covenants and agrees with the municipal hospital that it will forthwith after the validation of this agreement by the Legislature of the Province transfer to the municipal hospital all its lands and hospital buildings and equipment and supplies then on hand in consideration of the sum of One Dollar to be then paid, the said real and personal property to be clear of all encumbrance.

2. The municipal hospital in consideration of the premises, covenants and agrees with the town that upon validation of this agreement by the Legislature of the Province it will pay to the town or to the order of the town the four annual instalments as they fall due still payable by the municipal district of Lacombe to the town under the terms of the agreement hereinbefore referred to and dated the 23rd day of April, A.D. 1937.

3. The town in consideration of the premises releases the municipal district from any further liability under the agreement hereinbefore set out and made between the town and the municipal district of Crown and dated the 23rd day of April, 1937.

4. The town and the municipal district hereby quit claim and release absolutely unto the municipal hospital all the lands and hospital buildings and equipment and supplies of the community hospital and any claim to, or interest in the same which the said parties or either of them may at any time have had.

It is understood and agreed by and between all the parties hereto that this agreement is made subject to being validated by the Legislature of the Province.

In witness whereof the parties hereto have executed this agreement by the proper officers of each signing the same and attaching the corporate seal.

Signed, Sealed and Delivered
by the town in the presence
of
E. E. MAXWELL. } T. WILKES.
C. B. HYNDMAN.

Signed, Sealed and Delivered
by the municipal district in
the presence of
E. E. MAXWELL. } A. B. HAARSTAD, *Reeve.*
H. C. HOPKINS, *Sec.-Treas.*

Signed, Sealed and Delivered
by the community hospital
in the presence of
E. E. MAXWELL. } A. B. HAARSTAD.
A. BIRD, *Sec.-Treas.*

Signed, Sealed and Delivered
by the municipal hospital in
the presence of
E. E. MAXWELL. } E. W. BURROWS.
A. BIRD, *Sec.-Treas.*

FOURTH SESSION
TENTH LEGISLATURE

11 GEORGE VI

1947

BILL

A Bill to Validate and Confirm an Agreement entered into the Ninth Day of January, 1947, between the Town of Lacombe, the Municipal District of Lacombe, the Lacombe and District Community Hospital Board and the Board of Trustees of the Lacombe Municipal Hospital District.

Received and read the

First time.....

Second time.....

Third time.....

HON. DR. CROSS.

EDMONTON:
A. Shnitka, King's Printer
1947