

Bill No. 54 of 1953

A BILL TO VALIDATE AN ORDER IN COUNCIL RATIFYING AND CONFIRMING A CERTAIN BORROWING BY THE BOARD OF TRUSTEES OF THE MACLEOD IRRIGATION DISTRICT AND A CERTAIN BY-LAW OF THE BOARD IMPOSING A LEVY FOR THE REPAYMENT OF THE BORROWING

---

NOTE

This Bill validates, ratifies and confirms a certain order in council, namely O.C. 1777-52 dated the 8th day of December, 1952.

The effect of this Bill is to ratify and validate certain borrowings, described in O.C. 1777-52, of the Board of Trustees of the Macleod Irrigation District for the purpose of constructing some of its canals and structures. Also ratified and confirmed is a by-law passed by the Board wherein a levy was imposed upon certain lands within the Macleod Irrigation District for the repayment of the borrowings. The levy was therein made a first charge upon such lands and recoverable without penalties or interest under Part IV of *The Irrigation Districts Act*.

This Bill comes into force upon assent and is retroactive to December 8th, 1952, the date of the order in council being validated hereby.

J. W. RYAN,  
*Acting Legislative Counsel.*

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

# BILL

No. 54 of 1953

An Act to Validate an Order in Council Ratifying and Confirming a Certain Borrowing by the Board of Trustees of the Macleod Irrigation District and a Certain By-law of the Board imposing a Levy for the Repayment of the Borrowing

(Assented to \_\_\_\_\_, 1953)

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

- Short title      **1.** This Act may be cited as "*The Macleod Irrigation District Special Borrowing Act*".
- O.C. 1777-52 validated      **2.** That certain order in council dated the 8th day of December, A.D. 1952, and intituled O.C. 1777-52, which is set out in Schedule A to this Act, is hereby validated, ratified and confirmed and shall have the same force and effect as if it had been enacted by this Act.
- Coming into force      **3.** This Act comes into force on the day upon which it is assented to and upon so coming into force shall be deemed to have been in force at all times on and after the eighth day of December, 1952.

---

## SCHEDULE A

---

O.C. 1777-52

Approved and Ordered,  
(Sgd.) JOHN J. BOWLEN,  
*Lieutenant Governor.*

Edmonton, Monday December 8th, 1952.

The Executive Council has had under consideration the report of the Honourable the Minister of Agriculture, dated December 1st, 1952, stating that:

Whereas pursuant to the provisions of *The Irrigation Districts Act*, being chapter 98 of the Revised Statutes of Alberta, 1942, as amended, the Macleod Irrigation District was erected by Order of the Minister of Agriculture dated the 26th day of June, A.D. 1940; and

Whereas the Dominion Department of Agriculture, under the provisions of *The Prairie Farm Rehabilitation Act*, has built diversion works, a main canal and reservoir to service certain lands within the Macleod Irrigation District; and

Whereas the Provincial Water Resources Branch has rendered engineering and financial assistance to the Irrigation District in constructing the necessary distribution canals to serve certain lands within the Macleod Irrigation District; and

Whereas the Macleod Irrigation District is presently indebted to the Bank of Commerce at Macleod for moneys borrowed from the Bank by the Board of Trustees of the District for the purpose of constructing some of its canals and structures; and

Whereas under by-law dated the 3rd day of July, A.D. 1950, and approved by the Irrigation Council dated the 24th day of July, 1950, a levy of five dollars (\$5.00) per irrigable acre was imposed on 3,000 irrigable acres being 40 irrigable acres in each of the seventy-five quarter sections within the Macleod Irrigation District; and

Whereas it is expedient and desirable that an order in council be passed to be validated at the next ensuing session of the Legislature, authorizing the Macleod Irrigation District to collect the said levy for the payment of the outstanding accounts and to provide for further necessary expenditures;

Therefore, upon the recommendation of the Honourable the Minister of Agriculture, the Executive Council advises that:

(1) Notwithstanding any of the provisions of *The Irrigation Districts Act*, being chapter 98 of the Revised Statutes of Alberta, 1942, as amended, and notwithstanding any lack of authority in the Board of Trustees of the Macleod Irrigation District either to borrow the said moneys from the Bank of Commerce or to impose the levy of five dollars (\$5.00) per irrigable acre, imposed by by-law dated the 3rd day of July, A.D. 1950, and approved by the Irrigation Council on the 24th day of July, 1950,—

- (i) the borrowings to date from the Bank of Commerce at Macleod by the Board of Trustees of the Macleod Irrigation District are hereby ratified, validated and confirmed and the sums of money so borrowed shall constitute a valid debt owing by the said District to the said Bank; and
  - (ii) the said by-law dated the 3rd day of July, 1950, and the said levy of five dollars (\$5.00) per irrigable acre thereby imposed are hereby ratified, validated and confirmed and the levy of five dollars (\$5.00) per irrigable acre imposed by the said by-law shall be a first charge upon the lands mentioned in the by-law and shall be recoverable under the provisions of Part IV of *The Irrigation Districts Act*, without penalties or interest;
- (2) This order in council shall be subject to validation at the next ensuing session of the Legislature.

(Sgd.) ERNEST C. MANNING.  
Chairman.

No. 54

---

---

FIRST SESSION  
TWELFTH LEGISLATURE

2 ELIZABETH II

1953

---

---

**BILL**

An Act to Validate an Order in  
Council Ratifying and Confirming  
a Certain Borrowing by the Board  
of Trustees of the Macleod Irriga-  
tion District and a Certain By-law  
of the Board imposing a Levy for  
the Repayment of the Borrowing.

---

---

Received and read the

First time .....

Second time.....

Third time.....

---

---

HON. MR. URE

---

---