

REPRINTED BILL

BILL

No. 28 of 1919.

An Act to allow the issue of Debentures for the Payment of Indebtedness contracted in Fighting the Spanish Influenza.

(Assented to , 1919.)

WHEREAS the disease known as Spanish Influenza became epidemic in this province, and the province and many municipalities incurred very heavy expense in protecting their residents against its ravages;

And whereas it is desirable that the province and such municipalities should be reimbursed in respect of the said expenditure, whether the same were made by lawful authorization or not, provided it was properly and reasonably made;

And whereas it is impossible for any of such municipalities to discharge their indebtedness out of current revenue, and it is desirable that to effect such discharge such authority should be given to issue debentures as is hereinafter given:

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

1. In this Act, save where the context does not admit--
"Municipality" means a city, town, village or municipal district;

"Minister" means the Minister of Municipal Affairs.

"Resident" means any person who resided in a municipality or improvement district for at least two months prior to his contracting the said disease, and the fact that he may have been temporarily in another municipality when he contracted or was ill of such disease shall not constitute him a resident of such last mentioned municipality.

2. Notwithstanding anything contained in any other Act or Ordinance, the council of any municipality may issue debentures for any amount equal to eighty per cent. of the amount of indebtedness incurred by it in taking remedial, protective or other health measures, or otherwise howsoever in connection with the said influenza, after allowing for any and all amounts properly and reasonably

payable to it by any other municipality or other municipalities on account of the provision of hospital accommodation, medical attendance, nursing, medicine, maintenance or any other aid for any resident or residents of such last mentioned municipality or municipalities.

3. Any by-law authorizing any issue of debentures as aforesaid shall when duly passed by any council and without any submission thereof to the ratepayers of the municipality concerned be sufficient authorization for the issue of the said debentures.

4. The form of money by-law, form of debenture and all procedure affecting in any way the issue of such debentures may be prescribed by the Minister and if not so prescribed shall be as set forth in the appropriate Municipal Act, but no debenture shall run or be expressed to run for more than five years.

5. In computing the amount of the debenture indebtedness of any municipality permitted by statute, debentures issued under the authority of this Act shall not be reckoned.

6. In the event of any municipality being unable to agree with any other municipality as to the amount properly payable under this Act by the former to the latter, or by the latter to the former, as the case may be, any such municipality may apply to the Minister to settle the dispute, and in such case the Minister shall appoint a commissioner to inquire into and to decide the standing of accounts between such municipalities. Such commissioner shall assume as the basis of his decision that every municipality was bound to care for and to provide hospital accommodation, medical attendance, nursing, medicine, maintenance, or other necessary aid, to those of its residents who were ill with the said influenza, and in case any other municipality supplied any such, the latter municipality shall be entitled to be paid for so doing by the municipality of which the patient so treated was a resident. The decision of the commissioner as to whether any amount is so owing by one municipality to another, and, if so, how much, shall be final and there shall be no appeal against such decision, and the correctness of the said decision shall not be questioned in any court of law.

7. A copy of this Act, immediately after the same becomes law, shall be forwarded by the Minister to the secretary-treasurer of every municipality, and unless the Minister extends the time in which any application may be made to him under the next preceding section, such application must be made by the municipality not later than the first day

of July, 1919. Unless such application is so made it shall be conclusively deemed, with reference to any municipality, that the amount of any account owing it by any other municipality, has been agreed upon as between the municipalities or that the claim has been abandoned or satisfactorily settled, and no action shall lie at law with respect thereto, except for the amount of any such account so agreed upon between the municipalities.

8. The commissioner, as to any such inquiry, shall have the same power as is exercisable by any judge or court in civil cases to compel the attendance before him of any and all persons from whom there is reason to believe necessary information may be obtained, and to compel the production of books and documents and to take evidence on oath.

9. With reference to any claim made by the municipality against the province, or by the province against any municipality for the payment of any account arising out of the providing of hospital accommodation, medical attendance, nursing, medicine, maintenance, or other necessary aid, for any patient or patients that have heretofore been ill of the said influenza, and the province and the municipality are unable to agree, the Minister may refer the dispute to a commissioner for inquiry and decision in the manner and with the same force and effect as provided for in section 6.

10. Any sum or sums of money deposited to the credit of a district fund under the provisions of *An Act respecting Improvement Districts* (being chapter 43 of the Statutes of Alberta, 1918), or of any Act for which that Act was substituted may be expended by the Minister in discharging any indebtedness incurred in furnishing such aid as is detailed in section 2 of this Act to residents of that or any other district as defined by the said Act respecting improvement districts. Any sum of money so expended may be recouped to the district fund affected by the levy of a tax sufficient for that purpose, in the manner and form prescribed for the imposition of taxes by the said Act.

In case there is not a sufficient sum of money deposited to the credit of the said district fund the Minister may make payment under this Act out of the general revenue of the province.

No. 28.

SECOND SESSION
FOURTH LEGISLATURE
9 GEORGE V
1919

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Received and read the

First time.....

Second time.....

Third time.....

HON. A. G. MacKAY.

EDMONTON:
J. W. JEFFERY, KING'S PRINTER
A. D. 1919