

BILL

No. 37 of 1923.

An Act to Assist the Hay Lake Drainage District.

(Assented to _____, 1923.)

WHEREAS the Hay Lake Drainage District is a drainage district duly formed under the provisions of *The Drainage Districts Act, 1921*, and proposes to raise a loan of the estimated amount of forty thousand dollars by an issue of debentures, and the Minister of Railways and Telephones has assented thereto and such assent has been filed with the Clerk of the Executive Council in accordance with the provisions of the said Act;

And whereas it is desirable under the recited circumstances to guarantee the said issue of debentures in the manner hereinafter set out;

Now therefore, 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 Hay Lake Drainage District Act, 1923.*"

2. The Lieutenant Governor in Council shall have power to guarantee the payment of the principal and interest of the debentures of the said issue or any part thereof in such manner and subject to such conditions and stipulations as may be directed by the Lieutenant Governor in Council.

3. Any such guarantee shall be signed on behalf of the Lieutenant Governor in Council by the Provincial Treasurer or such other officer as may be appointed thereunto by the Lieutenant Governor in Council.

4.—(1) In the event of it becoming necessary to pay any sum or sums of money under the guarantee hereinbefore provided for, then the Lieutenant Governor in Council may raise by way of loan such sum or sums of money by such means as may seem proper and convenient and may apply the same in fulfilment of the said guarantee and according to the terms thereof, without any further or other appropriation than is provided by this section.

(2) Any payment by the Province of principal or interest under the said debentures, pursuant to the guarantee thereof, shall not in any event be taken to affect the liability

of the said district therefor under the said debentures, but such liability shall remain unimpaired and enforceable by the Province against the said district.

(3) The Province shall be subrogated as against the said district to all rights, privileges and powers to which the holders of the debentures, in respect of which principal or interest or both has been so paid, were entitled by virtue of such debentures, prior to payment by the Province under its guarantee; and shall with respect to the debentures, in respect of which principal or interest or both has been so paid, be in the same position as a holder of debentures upon which the district has made default.

5. When any debentures are guaranteed under this Act, the board of trustees of the said district shall not take any step preparatory or ancillary to the construction of or to the making of a contract for the construction of any works, but all such matters shall be dealt with by the drainage council exclusively, and to that end all the powers in regard to the same vested in the said board shall be exclusively vested in and exercised by the said drainage council except where the Minister in writing directs to the contrary.

6. Where it is proposed to guarantee any debentures under the provisions of this Act, then notwithstanding any provisions of *The Drainage Districts Act, 1921*, the trustees may, with the consent of the Provincial Treasurer and without submitting the same to the voters, pass a by-law to alter the previously approved form, manner of payment or term of the debentures and decrease the rate of interest payable thereon and provide for a corresponding change in the amount to be paid and raised annually and the Provincial Treasurer shall arrange for the sale of the guaranteed debentures and fix the sale price thereof and all other details in connection therewith.

7. The consent of the Provincial Treasurer to such by-law shall be conclusive evidence of the legality thereof and of the issue of debentures in accordance therewith and the validity of the debentures shall not be open to question in any Court.

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

THIRD SESSION
FIFTH LEGISLATURE
13 GEORGE V
1923

BILL

An Act to Assist the Hay Lake
Drainage District.

Received and read the

First time,.....

Second time,.....

Third time,.....

HON. MR. SMITH.

EDMONTON:
J. W. JEFFERY, KING'S PRINTER
A.D. 1923