

BILL

No. 23 of 1926.

An Act to amend The Irrigation Districts Act.

(Assented to 1926.)

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 Irrigation Districts Act Amendment Act, 1926.*"

2. *The Irrigation Districts Act*, being chapter 114 of the Revised Statutes of Alberta, 1922, is amended as to section 11 by adding at the end thereof the words "and shall also have the power to purchase from the Crown, public lands lying within or adjacent to the district, and to resell the same."

3. Section 14 of the said Act is amended by striking out the words "and fifteen cents for every mile necessarily travelled to so attend or while so employed" and substituting therefor the words "and necessary travelling expenses according to a scale determined by the Minister."

4. Section 19 of the said Act is amended—

- (a) by inserting after the words "is not made or done" the words "or is improperly or ineffectually made or done"; and
- (b) by inserting after the words "as if it had been done" the words "or had been properly or effectually done."

5. Section 28a of the said Act is amended as to subsection (1) thereof—

- (a) by striking out the words "in the following form" and substituting therefor the words "which may be in form G of the schedule hereto or in such other form as may be approved of by the Minister"; and
- (b) by striking out the form of notice contained therein.

6. Section 32 of the said Act is amended as to subsection (1) by inserting at the beginning thereof the words "Subject to the other provisions of this Act."

7. Section 48 of the said Act is amended by striking out the words "(as imposed by the following section)" where they occur therein.

8. Section 143 of the said Act is amended by striking out subsection (1) thereof and substituting therefor the following:

"143.—(1) In the event of any rates remaining unpaid after the thirty-first day of December of the year for which the same are levied, there shall be added thereto by way of penalty, a sum equal to two and one-half per centum of the amount of rates remaining unpaid; and in the event of any rates or any part thereof remaining unpaid after the last day of March next following, there shall be added thereto by way of penalty an additional sum equal to two and one-half per centum of the rates which at that date remain unpaid; and in the event of any rates or any part thereof remaining unpaid after the last day of June next following, there shall be added thereto by way of penalty an additional sum equal to five per centum of the rates which at that date remain unpaid; and in each succeeding year, there shall be added, at the same times, penalties computed in the same manner."

9. Section 153 of the said Act is hereby struck out and the following substituted therefor:

"153. Such notice may be in the form set out in form H of the schedule hereto or in such other form as may be approved of by the Minister."

10. Section 155 of the said Act is amended by adding thereto as subsection (5) the following:

"(5) Section 54 of *The Land Titles Act* is hereby declared not to have at any time applied to any copy of any such adjudication."

11. Section 156 of the said Act is amended—

- (a) by adding at the end of subsection (1) thereof the following proviso: "Provided, however, that any person interested in any such parcel of land who desires to pay the rates due in respect of such land as shown by the rate enforcement return, may do so at any time prior to the land being offered for sale at public auction, on condition that he pays in addition thereto all costs in connection with rate enforcement and sale proceedings and all expenses of re-transfer of the land, and upon payment of such amount, the treasurer shall notify the Registrar of the proper Land Titles Office to cancel the certificate of title issued in the name of the district, and to revive the certificate of title which was operative prior to the issue of a certificate of title to the board, and the land shall be subject to the same mortgages, charges and encumbrances to which it was subject prior to the confirmation of the said return"; and

(b) by adding thereto as subsection (5) the following:
“(5) No treasurer or other person offering lands for sale under the provisions of this Act shall be required to obtain an auctioneer’s license for the purpose of the sale.”

12. Section 159 of the said Act is hereby struck out.

13. Section 177 is added to the said Act as follows:

“177. When any act or thing under the provisions of this Act directed to be done within a limited time is not so done or is improperly or ineffectually done then anything actually done prior to such omission or improper or ineffectual act shall not be thereby vitiated, but shall remain in full effect and the council either prior or subsequently to such omission or improper or ineffectual act may extend the time for completing or perfecting any such act or thing, which, when completed or perfected, shall have the same effect as if done strictly in accordance with the provisions of this Act.”

14. The schedule to the said Act is amended by adding thereto form G as follows:

“FORM G.

“NOTICE.

“(Section 28a).

“Notice is hereby given that a meeting of the water users of.....Irrigation District will be held at (description of place) on the..... (here fill in the day in January on which it is intended to hold the meeting) day of January, A.D. 19... at..... o'clock.....for the purpose of receiving the auditor’s report of the finances of the district up to the preceding 31st day of December, and for the purpose of receiving the reports of the manager, secretary-treasurer, and trustees of the district.

“Take notice further, that nominations for..... places on the board of trustees of the district will be received by the secretary at the said meeting and for one week thereafter. The nominations must be in the form prescribed by *The Irrigation Districts Act*, and forms may be obtained from the secretary at the said meeting. (If more than one vacancy is to be filled, set forth here particulars of each, and direct that nominations must be received separately for each vacancy.)

“Dated at.....this.....day of19....

.....
“Secretary.”

14. The schedule to the said Act is further amended by adding thereto form H as follows:

“FORM H.

“NOTICE.

“(Section 153.)

“In the matter of the Court of Confirmation of the irrigation rates enforcement return of the..... Irrigation District.

“Take notice that His Honour Judge..... judge of the District Court of the District of..... will at a sitting of the Court at.....onthe.....day of..... 19... at the hour of.....o'clock in the.....noon, or so soon thereafter as the application can be heard, confirm the irrigation rates enforcement return of the..... Irrigation District.

“And further take notice that you appear to be interested in.....of Section....., Township....., Range....., west of the.....Meridian, in the Province of Alberta, and that the irrigation rates outstanding against the said lands are as follows: Current \$..... Arrears \$.....

“And that in default of payment of the said arrears of rates before the said.....day of.....19..., the said lands will be included in the rates enforcement return; and that unless all arrears of rates and costs and expenses lawfully incurred are paid before that day, the lands will become the property of the board of trustees of the said district under the provisions of *The Irrigation Districts Act.*”

15. This Act shall come into force on the..... day of.....19...

No. 23.

SIXTH SESSION
FIFTH LEGISLATURE
16 GEORGE V
1926

BILL

An Act to amend The Irrigation
Districts Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. SMITH.

EDMONTON:
W. D. McLEAN, ACTING KING'S PRINTER
1926.