

BILL

No. 41 of 1926.

An Act respecting Rate Enforcement in the Lethbridge Northern Irrigation District.

(Assented to _____, 1926.)

WHEREAS it is expedient that, in the event of irrigation rates on certain lands in the Lethbridge Northern Irrigation District not being paid, such lands should be made available at as early a date as possible for colonization purposes, but it is also expedient that a further time for redemption should be given to the owners of such lands, and that if any such lands are sold by reason of non-payment of rates, the persons interested therein should share in any surplus proceeds of sale;

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 Lethbridge Northern Rates Enforcement Act.*"

2. The treasurer of the Lethbridge Northern Irrigation District shall forthwith examine the actual rates enforcement return brought up for confirmation in 1924 and shall delete therefrom the lands with respect to which the 1924 rates have been paid, and shall add to the amount of arrears set out opposite each parcel included therein, a proportionate part of the actual cost of postage and other work in connection with the irrigation rates enforcement return, together with the costs of the application for confirmation hereinbefore referred to.

3. The treasurer shall then transmit the return to the Irrigation Council, who shall sign the same and the effect of such signature shall be to vest in the Board of Trustees of the said district the lands comprised in the said return for an estate in fee simple therein freed from all other estates and from all liens, mortgages and encumbrances of every nature and kind whatsoever, other than the charge imposed by any debentures issued under the provisions of *The Irrigation Districts Act*, or first mortgages within the meaning of that Act, and other than taxes and rates charged upon the said land.

4. A copy of the said return signed by the Irrigation Council shall be forwarded to the Registrar of Land Titles of the Land Registration District in which the lands named in the said return and in respect of which any 1924 rates remain unpaid are situated and it shall be the duty of the Registrar to register the same against all such lands and to issue a certificate of title therefor under the provisions of *The Land Titles Act* in the name of the Board for an estate in fee simple therein and free from all other estates and from all liens, mortgages and encumbrances of every nature and kind whatsoever other than the charge imposed by any debentures issued under the provisions of *The Irrigation Districts Act*, or first mortgages within the meaning of that Act, and other than taxes and rates charged upon the said lands.

5. Any parcel of land which becomes the property of the Board as hereinbefore provided shall be offered for sale at public auction upon the second day of April, 1926, and shall at such auction be knocked down to the highest bidder, who shall upon payment of the purchase price therefor, be entitled to a transfer of the land sold to him for an estate in fee simple therein, free from all other estates and from all liens, mortgages and encumbrances of every nature and kind whatsoever, other than the charge imposed by any debentures issued under the provisions of *The Irrigation Districts Act* or first mortgages within the meaning of that Act, and other than taxes and rates for the current year.

6. The treasurer of the district shall before the fifteenth day of March, 1926, send a notice of the time and place of such sale in such form as may be approved of by the Minister of Railways and Telephones, to each person who appears by the records of the Land Registration District within which the lands lie, to have any interest therein, and whose post office address is shown by the said records or return, and the entry against such lands in the said return of the date of the mailing of such notice, together with the signature or initials of the treasurer, shall, without proof of appointment or signature or initials of the treasurer, be *prima facie* evidence that the required notice was duly mailed on the date so entered.

7. The Board shall fix a minimum price for each parcel of land by way of a reserve bid.

8. The Minister may prescribe the conditions of sale of the lands offered for sale at the said auction.

9. All lands which are not sold at such sale shall be transferred by the Board of Trustees to the manager as trustee for His Majesty, excepting always all lands which are required in connection with the operation of the district, and lands subject to first mortgages within the meaning of *The Irrigation Districts Act*.

10. When any land has been sold under the provisions of this Act and there is a balance remaining after payment of all rates, costs, charges and expenses up to and including the date of such sale, the Board shall first pay thereout all taxes owing to the Province, any municipality or any school district, or pay such taxes *pro rata* in so far as such balance extends, and shall then pay over any surplus of such balance to the person or persons declared to be entitled thereto by an order of a District Court judge of the judicial district in which the district is wholly or partly situated, but in making such order, the judge shall have regard to the priorities to which such persons are or were respectively entitled either at law or in equity with regard to such land or balance.

11. Any person interested in any parcel of land shown on the said return may pay the amounts of money set opposite the description of such parcel upon the said return, and the costs of reviving his certificate of title in accordance with the provisions of this section, at any time prior to the second day of April, 1926, and upon payment of such amounts the treasurer shall notify the Registrar of the proper Land Titles Office to cancel the certificate of title issued in the name of the Board and to revive the certificate of title which was operative prior to the issue of the certificate of title to the Board of Trustees, and the land shall be subject to the same mortgages, charges and encumbrances to which it was subject prior to the signing of the said return by the Irrigation Council.

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

No. 41.

SIXTH SESSION
FIFTH LEGISLATURE
16 GEORGE V
1926

BILL
An Act respecting Rate Enforcement
in the Lethbridge Northern
Irrigation District.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. SMITH.

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