

## BILL

No. 30 of 1931.

An Act to amend The Lethbridge Northern Colonization Act

(Assented to , 1931)

**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 Colonization Act Amendment Act, 1931."

2. The Lethbridge Northern Colonization Act, being chapter 49 of the Statutes of Alberta, 1925, is amended by inserting therein, immediately after section 15, the following new section

"15a—(1) The manager may sell or may agree to sell any land acquired by him pursuant to this Act, freed and discharged from the water right payment, or the payments in lieu of water right payment set out in schedule A to this Act, as and from the first day of January, 1930, at such price and upon such terms and conditions as to payment, or otherwise, as may be from time to time prescribed by the Lieutenant Governor in Council.

"(2) The manager may on behalf of the Board enter into an agreement with any person who is the owner of any land which is subject to irrigation rates or the payments in lieu of irrigation rates set out in schedule A to this Act, for the extinguishment of all charges in respect of the water right appurtenant to such land, as and from the first day of January, 1930, upon the payment of such sum and subject to such terms and conditions as to price or otherwise as may be from time to time prescribed by the Lieutenant Governor in Council.

"(3) Upon the making of any agreement for the extinguishment of water right payments and so long as such agreement remains in force, the Provincial Treasurer shall, without any further or other appropriation than is provided by this Act, pay out of the General Revenue Fund all sums required from time to time to discharge the water right payments affected by such agreement.

"(4) (a) Forthwith after making any sale or entering into any agreement for sale of land discharged from water right payments or any agreement for the extinguishment of the water right payments in respect of any land, the manager shall give notice thereof in writing to the Board.

- "(b) In the case of land sold or agreed to be sold, discharged from the water right payments, the Board shall cause to be levied an amount equal to the ordinary water service charge against the land affected by such sale or agreement, and the same shall be payable by the purchaser and his successors in title in the same way and as if the same were irrigation rates levied pursuant to *The Irrigation Districts Act*, and all the provisions of that Act for the collection and enforcement of payment of irrigation rates shall be applicable to all sums levied pursuant to this section, and all sums received by the Board on account thereof shall be forthwith paid by the Board to the Provincial Treasurer.
- "(c) In the case of an agreement for the extinguishment of water right payments, the ordinary water service charge shall be the only irrigation rate payable otherwise than by the Provincial Treasurer in respect of the land affected by such agreement.
- "(5) If default is made in the due payment of any sum payable under any agreement of sale of any land discharged from water right payments, or if default is made in the due payment of any rates for water service charges payable pursuant to this Act during the life of such agreement, the manager may, with the approval of the Lieutenant Governor in Council, declare the agreement for sale cancelled, and thereupon such lands shall forthwith vest in the manager as if such agreement for sale had not been made, and all the rights of any persons depending upon such agreement for sale shall cease and determine, and any moneys paid in respect of such agreement for sale shall be forfeited to His Majesty.
- "(6) In the case of any agreement for the extinguishment of water right payments, upon default being made in the due payment of any sum payable thereunder, the manager may, with the approval of the Lieutenant Governor in Council, declare the agreement to be cancelled, and thereupon the land affected by such agreement shall be liable to the payment of all irrigation rates or payments in lieu thereof thereafter accruing as if such agreement had not been made, and all sums paid in respect of such agreement shall be forfeited to His Majesty.
- "(7) If, at the time of making any agreement for the extinguishment of water right payments, there are any arrears of irrigation rates for the year 1929 or any year previous thereto, the manager may add the total amount of the arrears on account of water right payments to the amount payable under any such agreement, and shall notify the Board thereof, and thereupon the Board shall discontinue all proceedings for enforcing payment thereof and the Provincial Treasurer shall pay to the Board the amount of the last mentioned rates so added as aforesaid.

"(8) Every instrument effecting any sale of land discharged from water right payment, and every agreement of sale of land so discharged, and every agreement for the extinguishment of water right payment, and every instrument cancelling any such sale or agreement shall be made in duplicate, and one of such duplicates shall be filed in the office of the manager and shall be there recorded, and every instrument so filed and the record thereof shall be open to inspection at all reasonable times."

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

FIRST SESSION  
SEVENTH LEGISLATURE  
21 GEORGE V  
1931

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**B I L L**

AN Act to amend The Lethbridge  
Northern Colonization Act.

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Received and read the

First time ... ..

Second time . . . . .

Third time ... ..

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HON MR SMITH

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EDMONTON  
W D McLEAN, KING'S PRINTER  
A D 1931

Title: 1931 (7th, 1st) Bill 30, An Act to amend The Lethbridge Northern Colonization Act