

BILL

No. 75 of 1932.

An Act to amend The Crop Payments Act, 1922.

(Assented to 1932.)

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 Crop Payments Act, 1922, Amendment Act, 1932.*"

2. *The Crop Payments Act, 1922*, being chapter 138 of the Revised Statutes of Alberta, 1922, is hereby amended as to section 6 thereof by striking out the same and by substituting therefor the following:

"6. Notwithstanding any other provision of this Act, any lease, agreement or instrument which provides for the delivery of a share of any crop grown upon any land in respect of or on account of any indebtedness secured by a mortgage upon such land shall not operate so as to secure to the person entitled to receive such mortgage indebtedness more than the amount (not being in excess of one-fourth of the crop) representing the sums payable for interest, taxes, hail insurance and fire insurance pursuant to the terms of the mortgage during that year, and not including any payment on account of any arrears of principal or interest or any other sum payable by virtue of such mortgage, and upon the payment of the sums payable for interest, taxes, hail insurance and fire insurance for the current year, all further claims against the crop in that year under such lease, agreement or instrument shall be deemed to be fully discharged and satisfied."

3. The said Act is further amended by adding at the end thereof the following new section:

"7. In any case in which a farmer is under an obligation to deliver a share of crop by way of rent, or on account of any indebtedness under any agreement for the sale of land or any mortgage, such farmer may apply for relief to a judge of the district court of the district in which the crop is grown, and the judge, upon such notice to the persons entitled to receive the share of crop as he deems proper, may proceed to hear the application in such manner as he deems proper, and if it appears to the judge that in the circumstances of the applicant the delivery of the full share will leave the applicant without a reasonable return out of

the crop and render him unable to carry on his farming operations, he shall determine what amount, if any, of the crop shall in his uncontrolled discretion be delivered by the applicant on account of the deliverable share of the crop for that year, and order that the amount deliverable as the share of the crop shall be the amount, if any, so determined, and that upon delivery being made of the said amount, the interest in the crop of the person entitled to receive the share in such crop shall cease and determine.”

4. The said Act is further amended by striking out the expression “one-third share” where the same occurs therein and by substituting therefor the expression “one-fourth share.”

5. This Act shall cease to have any effect on and after the first day of April, 1934.

No. 75.

SECOND SESSION
SEVENTH LEGISLATURE
22 GEORGE V
1932

BILL

An Act to amend The Crop Payments
Act, 1922.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. LYMBURN.

EDMONTON:
W. D. McLEAN, KING'S PRINTER
1932