

Bill No. 68 of 1935.

A BILL FOR THE RELIEF OF THE LITTLE BOW
IRRIGATION DISTRICT.

NOTE.

This Bill ratifies a grant of \$5,000 made to the District to enable it to discharge liabilities for flooding occasioned by its operations (section 2), and relieves the District from liability to make further payments in respect of sinking fund contributions on account of debentures guaranteed by the Province which ought to have been made prior to the first day of January, 1935 (section 3) and its liability to the Government for sums paid on account of the debentures by reason of the deficiency in the sinking fund.

The District is empowered, with the approval of the Irrigation Council, to make compromises in respect of arrears of irrigation rates (section 5).

Nothing is to be included in any levy of the District hereafter made on account of the sinking fund contributions for the years 1932, 1933 and 1934 (section 6), and the levies for those years are to be reduced by the amount included therein in respect of those contributions or for the purpose of meeting the liabilities for flooding; and in case any person has paid on account of the levies for those years more than the reduced amount, the excess is to be credited to him.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 68 of 1935.

An Act for the Relief of the Little Bow Irrigation District.

(Assented to _____, 1935.)

WHEREAS the Little Bow Irrigation District is an irrigation district formed under the provisions of *The Irrigation Districts Act*; and

Whereas the Little Bow Irrigation District (hereinafter called "the District") in pursuance of the powers conferred upon it by the last mentioned Act made an issue of debentures for the aggregate amount of twenty-six thousand dollars; and

Whereas in pursuance of the power in that behalf conferred by *The Little Bow Irrigation District Act, 1923*, being chapter 21 of the Statutes of Alberta, 1923, the Lieutenant Governor in Council by order dated the third day of May, 1923, and numbered 590-23 guaranteed the repayment of the principal and interest of the said debentures; and

Whereas upon the formation of the District it undertook and has since carried on certain work of general benefit to the lands in the vicinity of the Little Bow River which had formerly been performed by the Province, namely, the diversion of water from the Highwood River into the Little Bow River, and the operation of the irrigation works of the District is a benefit to all lands in the vicinity of the Little Bow River whether included in the District or not; and

Whereas by reason of abnormal flood conditions on the Highwood River, claims for damages on account of the operation of the irrigation works of the District and the prevalence of conditions detrimental to agriculture, the financial position of the District is such that it is unable to make the annual contributions of \$2,216.24 which it is required to make to the Sinking Fund for the redemption of its debenture issue in any of the years 1932, 1933 and 1934; and

Whereas by Order in Council made the fifth day of October, 1934, and numbered 886-34, the grant of a sum of \$5,000.00 to the District was authorized; and

Whereas the District cannot continue its operations unless it is relieved of its obligations in the manner hereinafter set forth; and

Whereas it is expedient and in the public interest that the District should be so relieved and that the said Order in Council be validated;

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 Little Bow Irrigation District Relief Act.*"

2. An Order in Council made the fifth day of October, 1934, and numbered 866-34, authorizing a grant of \$5,000.00 to the District is hereby validated, confirmed and ratified and the Provincial Treasurer is hereby authorized to make such grant, and anything heretofore done in pursuance of the said order before the coming into force of this Act shall have the same force and effect as if it had been done thereafter.

3. The District is hereby relieved of any obligation to make any further payment to the credit of the sinking fund on account of the annual contributions which ought by law to have been made at any time prior to the first day of January, 1935, and have not been made.

4. The District is hereby relieved of any obligation or liability to reimburse the Government for sums paid by the Government under its guarantee of the said debenture issue to the extent that the said sinking fund will be insufficient to redeem the said debentures by reason of the operation of section 3 of this Act.

5. Notwithstanding any of the provisions of *The Irrigation Districts Act* to the contrary, the trustees of the District may, with the approval of the Irrigation Council, enter into agreements with any person who is at the time of the coming into force of this Act indebted to the District for any description of irrigation rates providing for the compromising of such indebtedness at a lesser amount and for the payment thereof by instalments and prescribing the terms and conditions of any such agreement; and upon any such agreement being made and so long as the same remains undetermined, all rate enforcement proceedings under *The Irrigation Districts Act* shall be suspended so far as the same relate to the rates in respect of which the agreement is made.

6. The District shall not include in any levy hereafter made anything on account of contributions to the sinking fund which would have had to be made but for this Act.

7. The rates levied by the District in each of the years 1932, 1933 and 1934 shall be reduced by such amount as the Irrigation Council may fix as the amount included therein for the purpose of raising the annual sinking fund contribution of \$2,216.24 for each of those years, or for the purpose of paying any damages referred to in the said Order in Council; and any person who has paid to the District on account of the rates levied in any of those years an amount in excess of the rates so reduced shall be entitled to a credit to the amount of the excess as at the time when he made the payment.

8. The Provincial Treasurer is hereby authorized to pay into the sinking fund of the District, without any further or other appropriation than is made by this Act, the amount of the deficiency in the sinking fund of the District occasioned by the operation of section 3 of this Act.

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

No. 68.

FIFTH SESSION
SEVENTH LEGISLATURE
25 GEORGE V
1935

B I L L

An Act for the Relief of the Little Bow
Irrigation District.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. GRISDALE.

EDMONTON:
W. D. McLEAN, KING'S PRINTER
1935