

Bill No. 48 of 1942.

A BILL TO AMEND THE LETHBRIDGE NORTHERN
COLONIZATION ACT.

NOTE.

This Bill amends *The Lethbridge Northern Colonization Act*.

Section 21 is amended. At present moneys expended or advanced by the Manager to finance the growing of crops are secured by a first lien and charge upon the crops. The amendment extends the lien to the proceeds of the sale of such crops. Many farmers in the district are unable to finance their operations. The Colonization Manager borrows moneys and makes advances and loans to the farmers. In other words, he makes it possible for these farmers to grow crops and thereby enables them to pay off their other debts. It is essential, accordingly, that the Manager should be fully protected and that his claim against the crops should be first in all respects. The new subsections (2) and (4) correspond to sections 145*a* and 147*a* of *The Irrigation Districts Act*. Subsection (3) is a restatement of powers contained in the present subsection.

W. S. GRAY,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 48 of 1942.

An Act to amend The Lethbridge Northern
Colonization Act.

(Assented to _____, 1942.)

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, 1942.*"

2. *The Lethbridge Northern Colonization Act*, being
chapter 49 of the Statutes of Alberta, 1925, is hereby
amended as to section 21 by striking out subsection (2)
thereof and by substituting therefor the following:

"(2) All moneys expended for or lent to any approved
water user for the purposes hereinbefore mentioned, are
hereby declared to be a first lien and charge upon all crops
and other farm produce grown or produced by the approved
water user in the year in which the money is expended or
lent, and in every year thereafter, and upon any proceeds
of the sale of such crops and produce, until the same have
been paid in full; and upon the manager delivering to a
buyer thereof a demand in writing for the amount of money
hereby declared to be a first lien and charge upon any pro-
ceeds of the sale, the buyer shall, out of such proceeds then
remaining in his hands, pay the amount of the demand to
the manager in priority to all other claims and demands
whatsoever.

"(3) The manager may by himself or his agent enforce
the first lien and charge upon the crops and produce subject
to the charge by distress, seizure and sale of such crops
and produce, in any manner the manager may deem proper,
and none of the provisions of *The Seizures Act* shall apply
to any such distress, seizure or sale.

"(4) Where any crops or other farm produce liable to
seizure for moneys expended or lent as hereinbefore pro-
vided are under seizure or attachment or have been seized
by the sheriff or by a bailiff of any court or are claimed by
or in possession of any assignee for the benefit of creditors
or liquidator or of any trustee or authorized trustee in
bankruptcy or where such crops or produce have been
converted into cash and are undistributed, it shall be suf-
ficient for the manager to, and he shall, give to the sheriff,
bailiff, assignee or liquidator or trustee or authorized

trustee in bankruptcy, notice of the amount due him, and in such case the sheriff, bailiff, assignee or liquidator or trustee or authorized trustee in bankruptcy, after deducting the lawful costs, charges and expenses of and incidental to the making and carrying out of the seizure, shall pay the amount of the same to the manager in preference and priority to any other and all other fees, charges, liens, or claims whatsoever.

“(5) Where the proceeds of the sale of any such crops or produce have been attached by garnishment proceedings it shall be sufficient for the manager to, and he shall, give the garnishee notice of the amount due to him, and in such case the garnishee shall pay the same to the manager in preference and priority to any other and all other charges, liens or claims whatsoever.”

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

SECOND SESSION
NINTH LEGISLATURE
6 GEORGE VI
1942

BILL
An Act to amend The Lethbridge
Northern Colonization Act.

Received and read the

First time

Second time.....

Third time

HON. MR. MACMILLAN.

EDMONTON:
A. Shnitka, King's Printer
1942