

BILL

No. 46 of 1947.

An Act to Incorporate the Alberta Norwegian Lutheran College Association.

(Assented to , 1947.)

WHEREAS there exists an association incorporated under the name of "The Alberta Norwegian Lutheran College Association", being chapter 77 of the Statutes of the Province of Alberta, 1913, having as its object the providing of regular high school courses and also courses in religion for the purpose of promoting greater study and knowledge of the Bible as the Word of God;

And whereas a petition presented by the said association prays that an Act be passed by the Legislature of the Province to enact as hereinafter set forth; with regard to the corporate status, property, rights and duties of the said association, and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. The Alberta Norwegian Lutheran College Association consisting of the following Norwegian Lutheran congregations, namely: Bawlf, Bawlf; Zion, Ryley; Golden Valley, Viking; Holden, Holden; Bethania, Donalda; Salem, Kingman; Bethesda, New Norway; Camrose, Camrose; Edberg, Edberg; Parkland, Ohaton; Scandia, Armena; Bardo, To-field; Trinity, Loughheed; Vang, Wetaskiwin; St. Joseph, Hay Lakes; Bethlehem, Dinant; Trondhjem, Round Hill; Bethel, Ryley; Central, Edmonton; Bethany, Morrin; Asker, Ponoka; Skudesnes, Bawlf; Bethel, Wetaskiwin; Sharon, Irma; Scandinavia, Viking; (and such others as may from time to time be admitted to membership in the Association), and represented by the following duly elected delegates and pastors: Reverends A. K. Odland, G. J. Ostrem, E. B. R. Haave, K. C. Grundahl, R. O. Olson, I. J. Saugen, E. O. Walker, T. W. Maakestad, and Messrs. Ed. Thompson, Lars Wollen, Conrad Vikse, Arne Johnson, Severt Ness, T. B. Jevne, S. T. Grue, Peter Lee, Walter Heiland, Hans Huseby, T. Bratrud, Wm. Hall, Martin Hendrickson, O. Hagen, E. A. Moen, M. B. Ness, Leonard Bergum, Lars Lerohl, Clarence Hanson, T. E. Anderson, S. Hanson, A. M. Lyseng, George Hendrickson, John Sjulstad, Ole Branes, C. Lien, O. Ronnei, Thos. Brager, and such others as shall hereafter from time to time be

appointed, shall be and are hereby constituted a body corporate and politic under the name of "The Alberta Norwegian Lutheran College Association" for the purposes and objects aforesaid. The said corporation shall have a perpetual succession and a common seal.

2. The corporation shall have power,

(1) to acquire by gift, devise, purchase, exchange, lease or otherwise, real or personal property of any and every nature and kind and to possess, hold and enjoy the same as owner, providing, however, that the corporation shall not acquire or hold as purchaser any lands except for the actual use and occupation of the corporation exceeding in the whole at any time a value of fifty thousand dollars. Any lands of which the corporation becomes owner or in which it holds an interest not in the actual use and occupancy of the corporation exceeding in value the sum of fifty thousand dollars, shall be absolutely disposed of within a period of seven years from the acquisition thereof by the corporation and in the event that the said lands are not absolutely disposed of within such time, the said lands may be forfeited to the Crown in the right of the Province of Alberta; and the Board of Public Utility Commissioners upon being satisfied that the corporation is holding lands which should have been disposed of under the provisions of this subsection may make an order declaring what lands of the corporation have become liable to forfeiture hereunder and vesting the said lands in His Majesty in the right of the Province, and the Registrar of the land registration district in which such lands are situate shall upon receipt of a certified copy of the order cancel the existing certificate of title and issue a new certificate of title in the name of His Majesty in the right of the Province;

(2) to sell, mortgage, lease, exchange or otherwise deal with or dispose of its real and personal property or any portion thereof and subject to the provisions of subsection (1) to acquire either real or personal property to such extent as may be deemed advisable or desirable and make and execute all necessary and proper conveyances, transfers or other instruments for carrying the same into effect;

(3) to invest, subject to subsection (1), all or any sums of money belonging to the corporation in any property or security whatsoever for the benefit of the corporation;

(4) to acquire, take possession of and hold as the corporation may deem proper all such property, both real and personal, as may at any time be mortgaged, hypothecated or pledged to the corporation by way of security or conveyed to it in satisfaction of obligations or debts due or owing to it from any person, firm or corporation. Provided that any real property acquired in satisfaction of any debts due to itself and not required for the actual use and occupation of the corporation or a branch thereof or for the purposes of the corporation the value of which together with other such lands of the corporation

exceeds fifty thousand dollars shall be sold by the corporation within seven years after such acquisition or within such further period as may be fixed by order of the Lieutenant Governor in Council, otherwise such real property may be forfeited to the Crown in the right of the Province. And the Board of Public Utility Commissioners upon being satisfied that the corporation is holding lands which should have been disposed of under the provisions of this subsection may make an order declaring what lands of the corporation have become liable to forfeiture hereunder and vesting the said lands in His Majesty in the right of the Province, and the Registrar of the land registration district in which such lands are situated shall upon receipt of a certified copy of the order cancel the existing certificate of title and issue a new certificate of title in the name of His Majesty in the right of the Province;

(5) to borrow from any person, firm or corporation such sum or sums of money as may be found necessary for the purposes of the corporation and to secure any loan to the lender or lenders by bonds, bills of exchange, promissory notes, mortgages, or any other instrument or instruments that may be required or deemed necessary or advisable by the lender or lenders;

(6) to acquire by purchase or otherwise, build and erect and to manage and conduct all such halls, houses and other buildings as may be found or deemed necessary or convenient for carrying on the objects of the corporation;

(7) on the passing of the proper resolution by the members of "The Alberta Norwegian Lutheran College Association" incorporated under that name, being chapter 77, Statutes of the Province of Alberta 1913, to take transfer and become owner of all the assets of the said incorporated association, and the corporation shall thereupon become liable for and pay all the liabilities of the said incorporated association;

(8) to fix, charge and collect fees for any services rendered by the corporation in the carrying out of its objects.

3.—(1) The revenues and profits of all property held by the corporation shall be applied to the maintenance of the institutions carried on by it to the constructions and repair of buildings and the acquisition of property requisite for its purposes, and to the promotion of charity and benevolence.

(2) The said corporation shall be responsible for maintenance and financing of its own medical and hospitalization scheme, and shall be liable to indemnify the Town of Camrose, the Municipal District of Camrose and Camrose School District for any hospitalization, medical or educational expenditures incurred by them in respect of any person on the staff or attending and residing in the said institution.

4. The head office of the corporation shall be at Camrose, Alberta.

5.—(1) Within two months from the date upon which this Act comes into force, the President of "The Alberta Norwegian Lutheran College Association" incorporated under that name, being chapter 77 of the Statutes of the Province of Alberta, 1913, shall call a meeting of the members of the corporation at a time and place to be fixed by him of which due notice shall be given to all members of the corporation for the purpose of electing the first officers and transacting any other necessary business under this Act.

(2) At that meeting the said President shall preside and thereupon the members of the corporation shall proceed to the election of a president, secretary, and treasurer, and nine directors one of whom shall be elected vice-president, and they shall constitute the board of directors of the corporation.

(3) At the first annual meeting and at each subsequent annual meeting of the members of the corporation, the officers mentioned in subsection (2) shall be elected by and from the delegates of the members of the congregations of the corporation and shall constitute the board of directors of the corporation.

(4) A majority of the board of directors shall constitute a quorum.

(5) A majority of votes shall decide all questions and the chairman shall not vote except in the case of a tie.

6.—(1) The corporation may by by-law passed at any annual meeting make and from time to time repeal and alter rules and regulations not inconsistent with this Act for the government, conduct and administration of the property, affairs, businesses and interests of the corporation, and for the election, appointment, retirement, removal or dismissal of its members, directors, officers, agents and employees, and for filling any vacant office thereby or otherwise occasioned and for the holding and conducting of annual meetings, the holding and conducting of the meetings of the board of directors or for any other purpose in connection with the management and control of the business of the corporation.

(2) Until the holding of the first meeting as provided for in section 5, subsection (1) the existing constitution and by-laws, rules and regulations of "The Alberta Norwegian Lutheran College Association" incorporated under that name, being chapter 77 of the Statutes of the Province of Alberta 1913, so far as they are not inconsistent with this Act shall be deemed to be the constitution, by-laws, rules and regulations of the corporation.

7.—(a) All the real and personal property described as and situated on block "B" plan 3605-U, on January 1, 1947, within the Town of Camrose, in the Province of Alberta;

(b) The proposed building, to be erected on the said block "B" plan 3605-U, within the Town of Camrose, in the Province of Alberta, being a structure of stone, brick or reinforced concrete, having the approximate ground measurements of 110 feet by 110 feet, consisting of a combined gymnasium-auditorium 80 feet long by 50 feet wide by 20 feet high and around said gymnasium-auditorium two wings, each 80 feet long by 30 feet wide, and a front 110 feet long by 30 feet wide; said wings and front having, basement containing laboratories, shop, kitchen and dining hall, first floor containing classrooms, library and offices, second floor containing 50 dormitory rooms each accommodating two students, and rooms for preceptor and/or preceptress.

(c) Any other buildings that may be constructed for academic purposes on the said block "B" plan 3605-U within the Town of Camrose in the Province of Alberta if it be not, wholly or in part, a private residential dwelling, for a teacher or any other member of the College Staff, provided however, that there shall always be rooms in the dormitory building for one male and one female teacher, acting as supervising dean and preceptress and for no other person, not a bona fide student attending the institution;

While used for school and educational purposes shall as from the first day of January, 1945, be exempt from all taxes, rates, levies and assessments of every nature and kind, save and except special frontage assessment taxes under *The Town and Village Act*.

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

No. 46

FOURTH SESSION
TENTH LEGISLATURE

11 GEORGE VI

1947

BILL

An Act to Incorporate the Alberta
Norwegian Lutheran College
Association.

Received and read the

First time.....

Second time.....

Third time.....

MR. SAYERS.

EDMONTON:
A. Shnitka, King's Printer
1947