

No. 44

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2nd Session, 13th Legislature, Alberta  
4 Elizabeth II, 1956

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**BILL 44**

**A Bill respecting the Burns Memorial Trust**

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MR. DIXON

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(Private Bill)

# **BILL**

No. 44 of 1956

An Act respecting the Burns Memorial Trust

(Assented to , 1956)

Preamble

**W**HEREAS pursuant to the last Will of the late Honourable Patrick Burns, who died in the City of Calgary, in the Province of Alberta, on the 24th day of February, 1937, 60% of the annual income of the Estate of the late Honourable Patrick Burns, after deducting therefrom certain annuities, was directed to be paid to the nieces and nephews of the testator or their issue until the death of the last of the designated annuitants and the widow of the said testator's son, and the remaining 40% of the said income was directed to be invested and added to the capital of the said Estate during the said period, and upon the death of the last of the designated annuitants and the widow of the said testator's son, the capital was directed to be distributed as to 67% among designated nieces and nephews of the said testator and as to 33% to the Royal Trust Company for the creation and establishment of a trust to be known as the Burns Memorial Trust; and

Whereas the net annual income of the Burns Memorial Trust commencing after the expiration of one year from the date of payment to the Royal Trust Company of the said 33% of the capital of the said Estate was directed to be distributed annually in equal shares among the five charitable organizations hereinafter set forth; and

Whereas pursuant to an Order of the Trial Division of the Supreme Court of Alberta, dated the 7th day of February, A.D. 1953, the Trustees of the Estate of the said late Honourable Patrick Burns were authorized and directed to enter into an Agreement whereby the said 40% of the net annual income of the said Estate was to be distributed annually among the persons entitled to the capital of the said Estate; and

Whereas pursuant to the said Agreement, Royal Trust Company has been receiving 33% of the said 40% of the said annual income and is accumulating the same in trust for the said charitable organizations as part of the capital of the said Burns Memorial Trust; and

Whereas it is expedient and in the best interests of the said five charitable organizations to authorize and direct the distribution among them annually of the annual income of the Burns Memorial Trust;

Now therefore Her 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 Burns Memorial Trust Act*". Short title

2. Royal Trust Company is hereby authorized and directed to distribute annually any moneys received by it as Trustee of the Burns Memorial Trust from and after the 15th day of March, A.D. 1955, after deducting therefrom its reasonable fees and expenses, equally among the following charitable organizations: Royal Trust Company authorized to distribute income to named Charities

- (a) Les Soeurs de Charite de la Providence des Territoires du Nord Ouest;
- (b) The Governing Council of the Salvation Army, Canada West;
- (c) The Trustees for the Poor, Indigent and Neglected Children of the City of Calgary;
- (d) The Trustees for the Widows and Orphans of Members of the Police Force of the City of Calgary;
- (e) The Trustees for the Widows and Orphans of Members of the Fire Brigade of the City of Calgary.

3. The first distribution to be so made shall be made within thirty days after this Act comes into force and subsequent distributions shall be made at the expiration of each three month period thereafter. Distribution date

4. Reasonable administrative fees and expenses incurred by Royal Trust Company may be charged against the income of the Burns Memorial Trust and deducted from the amounts distributable under this Act. Administrative costs

5. This Act comes into force on the day upon which it is assented to. Date of coming into force

No. 44

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SECOND SESSION  
THIRTEENTH LEGISLATURE  
4 ELIZABETH II  
1956

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**BILL**

An Act respecting the Burns  
Memorial Trust

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Received and read the

First time.....

Second time.....

Third time.....

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MR. DIXON

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