

No. 78

3rd Session, 13th Legislature, Alberta
5 Elizabeth II, 1957

BILL 78

A Bill respecting the Holding of Real Property by the
Alberta Command and Branches of the Canadian Legion
of the British Empire Service League

MR. HARDY

(Private Bill)

EDMONTON, ALBERTA
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1957

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No. 78 of 1957

An Act respecting the Holding of Real Property by the Alberta Command and Branches of the Canadian Legion of the British Empire Service League

(Assented to _____, 1957)

Preamble

WHEREAS the Canadian Legion of the British Empire Service League was incorporated by an Act of the Parliament of Canada, being chapter 84 of the Statutes of Canada, 1948; and

Whereas the Legion is composed of a number of constituent or subordinate branches, each of which is a separate entity, and also of a number of commands among which is the Alberta provincial command comprising the Province of Alberta; and

Whereas by the Act of incorporation of the Canadian Legion of the British Empire Service League, branches and commands thereof may hold, possess or acquire by purchase, lease, exchange, donation, devise, bequest, endowment or otherwise any real or immovable property necessary or useful for the carrying out of its purposes or objects, and may sell, lease, mortgage, pledge, hypothecate or alienate such property in any manner; and

Whereas the Alberta Provincial Command of the Canadian Legion of the British Empire Service League has by its petition prayed that an Act be passed for the purpose of regulating in Alberta the holding of real property by the said Command and branches within Alberta and it is expedient to grant the prayer of the petition:

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

Power to hold and dispose of property

1. The Alberta Command of the Canadian Legion of the British Empire Service League, hereinafter called the command, and every branch of the Legion within Alberta may hold, possess or acquire by purchase, lease, exchange, donation, devise, bequest, endowment or otherwise any real property necessary or useful for the carrying out of its purposes and objects, and may sell, lease, mortgage, pledge, hypothecate or alienate such property in any manner.

2. The real property of the command or of any branch of the Legion in Alberta may be registered in the proper land titles office in the name of the command or branch. Registration

3. The name of the command shall be as set out in section 1 and the name of each regularly constituted branch shall be as follows: "..... Branch of the Canadian Legion of the British Empire Service League." Name of command or branch

4. The command and every branch shall have an official seal of such design as may be determined by the Dominion command of the Legion. Seal

5. All deeds, bonds, mortgages, transfers, assurances, conveyances, contracts, and other instruments with respect to real property owned by the command or a branch shall be executed under the seal of the command or branch attested by the signatures of the president of the command or branch and its secretary for the time being. Execution of documents

6. Where the title to any real property belonging to the command or a branch stands in the name of any individual or individuals as trustees, whether such persons are deceased or not, a certificate by the secretary of the command that such real property belongs to or is held in trust for the use of the members of the command or branch together with an affidavit by the president of the command or branch, as the case may be, deposing to the fact that such property belongs to or is held in trust for the use of the members of the command or branch shall be accepted by the registrar of the proper land titles office as conclusive evidence of the facts certified and deposed to and upon presentation to the registrar of such documents together with an application duly attested the registrar shall cancel the existing certificate of title and issue a new certificate of title to the property in the name of the command or branch. Title to property held by trustees for command or branch

7. Where, pursuant to the Act of incorporation of the Legion, the charter or powers of any branch are suspended the registrar of the land registration district on which any real property of the branch is situated shall, upon application by the command, describing the property, and upon the filing of an affidavit by the secretary of the command deposing to the fact that the charter or powers of the branch have been so suspended, cancel the existing certificate of title and issue a new certificate of title to the said real property in the name of the command. Title to property of suspended branch

8. Nothing herein contained shall be held to confer or impose upon the command or any branch any right, power, obligation or duty inconsistent with the Act of incorporation of the Legion and the by-laws and rules passed pursuant thereto. Construction of Act

9. This Act comes into force on the day upon which it is assented to. Coming into force

No. 78

THIRD SESSION

THIRTEENTH LEGISLATURE

5 ELIZABETH II

1957

BILL

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Real Property by the Alberta Com-
mand and Branches of the Cana-
dian Legion of the British Empire
Service League

Received and read the

First time.....

Second time.....

Third time.....

MR. HARDY
