

No. 58

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1st Session, 15th Legislature, Alberta  
12 Elizabeth II

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## **BILL 58**

A Bill to Incorporate Alberta Protestant Home for Children

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DR. HEARD

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# BILL

No. 58 of 1964

An Act to Incorporate Alberta Protestant Home for  
Children

(Assented to \_\_\_\_\_, 1964)

Preamble

WHEREAS a Society was incorporated under *The Societies Act* and amendments thereto, R.S.A. 1924, as the Alberta Protestant Home for Children on the 18th day of November, 1938, and has existed since that time, having for its objects the establishment and continued operation of a Protestant institution in the Province of Alberta providing for the care, maintenance and education or provision of education, religious and secular, for orphaned, destitute and under-privileged children, the existing home having been established in 1934 on property legally described as:

All that portion of Lot F, in River Lot Twenty (20), of Edmonton Settlement, in the Province of Alberta, Dominion of Canada, as shown on Subdivision Plan 2190 E.O., containing One and Forty-nine Hundredths (1.49) acres more or less.

Reserving unto Her Majesty all mines and minerals;  
and

WHEREAS a petition has been presented praying for the incorporation of the said society as a body politic and corporate under the name of Alberta Protestant Home for Children; and

WHEREAS it is expedient to grant the prayer of the said petition:

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

Incorporation

1. Robert I. Willis, Jack Myler, Janet E. Adamson and D. Rhoda Wiltzen, all of the City of Edmonton, in the Province of Alberta, and such other persons as are now or may hereafter become, under the provisions of this Act, members of the hereinafter mentioned corporation, shall be and are hereby declared to be a body politic and corporate in deed and in name by the name of Alberta Protestant Home for Children, for the purposes and objects hereinafter set out.

- Objects**           **2.** The objects of the corporation are the organization, construction, operation, management and continuance within the Province of Alberta of a Protestant institution providing for the maintenance, care, education (both religious and secular), together with the general welfare and establishment of children resident within the Province who are either orphans, destitute children, or children in needy circumstances.
- Seal**               **3.** The corporation shall have perpetual succession and a common seal, and may at all times hereafter contract and be contracted with, sue and be sued, implead and be impleaded in any matter whatsoever in all courts and places whatsoever in the Province of Alberta.
- Head office**       **4.** The head office of the corporation shall be at the City of Edmonton, in the Province of Alberta, or at such other place in the Province as may from time to time be determined by the by-laws of the corporation.
- Power**             **5.** The corporation shall have power from time to time and at all times hereafter to acquire by gift, devise, bequest, transfer, purchase or otherwise for the benefit of the corporation any land or real or personal estate and the corporation may from time to time dispose of the same or any part thereof by sale, transfer or mortgage, lease, exchange or otherwise, and with the proceeds therefrom may acquire other lands, tenements, hereditaments and other property, real or personal, or invest the same in any security whatsoever for the use or benefit of the corporation.
- Additional powers**   **6.** The corporation shall have power to erect, construct, equip and maintain buildings and other erections for the proper carrying on of its educational and other charitable works and to do all other matters and things necessary for the carrying out of the objects that the corporation may become engaged in or occupied with.
- Use of revenues**     **7.** The rents, revenues and profits of all property, real or personal, held by the corporation and the assets and property of the corporation shall be appropriated and applied to the maintenance of the institutions carried on by the corporation, and the construction and maintenance of buildings and the acquisition of property, real or personal, requisite for the advancement of charity and benevolence and for the furtherance of any or all the objects and works in which the corporation may engage or for such other purposes as from time to time may seem expedient to the Directors.
- Execution of instruments**   **8.** All instruments relating to real property shall be executed under seal of the corporation attested as provided by the rules and regulations of the corporation.

Borrowing  
and invest-  
ing funds

**9.** The corporation in addition to all other powers shall have power,

- (a) to borrow or raise or secure the payment of money by negotiable instruments and by the issue of debentures or debenture stock, bonds, mortgages or obligations charged upon the property of the corporation, and to extend the period of payment of the same, and to purchase, redeem or pay off any such securities in whole or in part,
- (b) to invest its funds, or any portion thereof, either directly in the name of the corporation, or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and also may lend its funds or any portion thereof on any such securities,
- (c) to ensure or give guarantee for payment of any loan, mortgage, bond or debenture issue, obligations or securities made or issued by the corporation situate within the Province of Alberta, and
- (d) to mortgage or charge all or any part of the property of the corporation either for the payment of security for a debt or otherwise.

By-laws

**10.** It shall be lawful for the corporation to make by-laws, rules, orders and regulations for the government and proper administration of the property, affairs and interest of the said corporation, and to repeal and amend the same from time to time, including the enforcement of discipline and the admission and retirement of members, and the appointment, disposition and removal of any persons as members of the corporation, or bearing office therein, and generally for the internal government of affairs of the said corporation.

Officers

**11.** Unless otherwise directed by by-laws, the incorporators mentioned herein shall be the officers of the said corporation.

Vesting of  
title

**12.** All properties registered in the Land Titles Office in the name of Alberta Protestant Home for Children, being a Society incorporated under *The Societies Act* of the Province of Alberta, shall hereafter be deemed to be registered in the name of Alberta Protestant Home for Children, being the corporation incorporated by this Act, and shall be transferred upon the signatures of the officers duly authorized for that purpose under the provisions of this Act and the by-laws enacted thereunder.

Exemption  
from  
taxation

**13.** All the real property hereinafter described, namely:

All that portion of Parcel F in River Lot Twenty (20) of Edmonton Settlement, in the Province of Alberta,

Dominion of Canada, as said Parcel is shown on a Plan of Survey of Parcel E and F filed in the Land Titles Office for the Northern Alberta Land Registration District as Plan 2190 E.O. described as follows: Commencing at the Iron Post at the intersection of the Easterly limit of 92nd Street as shown on the said Plan with the Southerly limit of parcel 1 as shown on a Plan of said Parcel 1 signed at Ottawa on the 28th day of October, A.D. 1931 and filed in the Land Titles Office for the Northern Alberta Land Registration District as Plan 1210 E.F., thence Southerly along the said Eastern limit of said Street Two Hundred and Forty-nine and Five-tenths (249.5) feet; thence Easterly parallel with the said Southern limit of Parcel 1 Two Hundred and Sixty (260) feet; thence Northerly and parallel with said Eastern limit of 82nd Street Two Hundred and Forty-nine and Five-tenths (249.5) feet more or less to said Southern limit of Parcel 1; thence Westerly along said Southern limit Two Hundred and Sixty (260) feet more or less to the point of commencement. The land hereby described containing One and Forty-nine Hundredths (1.49) acres more or less.

Reserving unto Her Majesty all mines and minerals shall be exempt from assessment and taxation so long as the same are used for educational, religious or charitable purposes, except for local improvement taxes and taxes pertaining to minerals.

Vesting of  
personal  
property

**14.** All personal property presently in the name of or the property of the Alberta Protestant Home for Children, a society incorporated under the laws of the Province of Alberta, shall upon resolution of the executive of that society be vested in the Alberta Protestant Home for Children incorporated hereunder.

Accounting

**15.** The corporation shall at all times when called upon to do so by the Lieutenant Governor in Council render an account in writing of its property and affairs.

General laws

**16.** The powers herein granted shall be subject to the general laws of the Province now in force or hereafter enacted, except that the corporation is exempted from each of sections 82, 87, 120, 130, and 266 of *The Companies Act*, R.S.A. 1955, and amendments thereto or substitutions therefor.

Short title

**17.** This Act may be cited as "*The Alberta Protestant Home for Children Act*".

Commence-  
ment of Act

**18.** This Act comes into force on the day upon which it is assented to.

No. 58

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FIRST SESSION  
FIFTEENTH LEGISLATURE  
12 ELIZABETH II  
1964

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**BILL**

An Act to Incorporate Alberta  
Protestant Home for  
Children

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Received and read the

First time .....

Second time .....

Third time .....

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DR. HEARD

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