

# BILL

No. 48 of 1913.

An Act to Incorporate "Alberta Ladies' College".

(Assented to 1913.)

WHEREAS the persons hereinafter named have petitioned for an Act constituting them a body politic and corporate with the powers and for the purposes hereinafter set forth;

And whereas it is expedient to grant the prayer of the said petitioners;

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

1. That Col. James Walker; Rev. W. G. Brown, B.D.; D. G. McQueen, D.D.; J. C. Butchart, B.A.; W. Short, K.C.; Henry Jamieson, John Malcolm, R. L. Gaetz, John A. McDougall, E. Michener, W. L. Hamilton, W. B. Lord, T. B. Millar, J. Grant MacGregor, C.E.; G. W. McKenzie, B.A.; Joseph Wallace, William Ross, D. S. McKenzie, B.A.; J. D. Higinbotham, R. Walter Ure, Hon. A. J. McLean, Rev. F. D. Roxburgh, M.A.; Rev. E. McGougan, M.A., and F. H. Tallman, and the following persons who shall during their term of office be *ex officio* members, namely: The Moderator of the Synod of Alberta of the Presbyterian Church in Canada; the superintendent of missions of the synod of the district in which the college is located and the president of the college, all of the time being residents of the Province of Alberta, and their successors to be appointed from time to time as hereinafter mentioned, shall be and they are hereby constituted a body politic and corporate and the first board of governors by and under the name of "Alberta College".

2. The corporation shall have a perpetual succession and a common seal with power to change, alter, break and renew the same when and so often as they shall think proper; and the said corporation may contract and be contracted with, sue and be sued, implead and be impleaded, prosecute and be prosecuted in all courts and places whatsoever, and may from time to time and at all times hereafter purchase, acquire, hold, possess and enjoy, and may have, take and receive and for them and their successors, lands, tenements and hereditaments and real and immovable property and estate as college buildings and offices, residences of professors, tutors, students and officers with garden or pleasure grounds pertaining thereto, and the same may sell, alienate and dispose of, and others in their stead, purchase, acquire and hold for the uses and purposes aforesaid.

3. The said corporation shall have power and authority to take, accept, or receive to the use and for the purposes of the said corporation any and all lands, tenements and hereditaments and any and all property movable or immovable stocks, shares, lands, debentures or securities for the payment of money by purchase, gifts, devise or bequest or otherwise howsoever and shall have and hold the same and every of them, and every part thereof to and for the use and purpose of the said corporation.

4. It shall be lawful for the said corporation and it is hereby empowered to sell, exchange, mortgage, hypothecate or otherwise dispose of or pledge any lands, tenements or hereditaments or other real or personal property, stocks, shares, lands, debentures or securities on which it may at the time of the passing of this Act, or at any future time become seized, possessed or otherwise

interested in by virtue of this Act, or otherwise howsoever, and make and execute under its common seal or otherwise according to law all proper deeds and instruments and do all other acts, matters and things requisite or necessary to effectuate and accomplish all and singular the premises.

**5.** The said corporation shall have full power and authority to invest, or lend all or any sums of money of or belonging to the said college, or given or bequeathed to it in any lands, stocks, shares, debentures or securities of the Dominion of Canada, or of any province thereof, or of Great Britain or Ireland, or of any foreign state, or in any debentures of any municipality or school district, or upon the security of any real property, or in the purchase of rental bearing real estate, or to take, hold and dispose of any real property or any interests therein for the purposes aforesaid.

**6.** The said corporation shall be capable of taking, holding and acquiring all such lands and tenements, real and personal estate as may or shall have been mortgaged, hypothecated or pledged to the said corporation by way of security or conveyed to it in satisfaction of debts contracted, or purchased at judicial sales upon levy for such indebtedness or otherwise purchased for the purposes of avoiding a loss to the college in respect thereof, or of the owner thereof.

**7.** All property, real or personal, or of any kind whatsoever, now or heretofore vested in the names of the petitioners or any one of them for or on behalf of Alberta Ladies' College subject to any trust effecting the same, vested in the said college, and all property which has been or hereafter shall be granted, conveyed, devised or bequeathed to any person in trust for, or for the benefit of the college, or otherwise in connection therewith, subject always to the trust effecting the same, is hereby vested in the said corporation. And upon presentation to the proper registrar of land titles of any instrument setting forth the fact of the trust and of the purpose of vesting the lands effected in the corporation as hereby created, such registrar shall forthwith cancel the existing certificate of title and issue a new certificate of title to the corporation.

**8.** All subscriptions or promises of money or chattels now or hereafter made, or that may hereafter be made, or given to the petitioners or any one or more of them for or on behalf of Alberta Ladies' College, or otherwise in connection therewith, subject always to the trusts effecting the same, shall be vested in the said corporation.

**9.** The said Alberta Ladies' College shall be under the management and administration of a board of governors to be called "The Board of Governors of Alberta Ladies' College" which shall consist of not more than thirty members and not less than nine.

**10.** It shall be the duty of the Synod of Alberta of the Presbyterian Church in Canada, at each annual session thereof to appoint not more than eight persons to the board of governors who shall hold office for three years, and until their successors shall have been appointed:

Provided the board may pass by-laws reducing the number of the board to not less than nine and fixing the number necessary to constitute a quorum, and the said by-laws repeal, alter and amend from time to time. During the time the said by-laws are in force the Synod of Alberta of the Presbyterian Church in Canada shall at each annual meeting appoint to the board such number as may be provided by the said by-laws.

**11.** The board shall have full power from time to time to appoint and as they shall see occasion remove the president and other heads, the professors, tutors, teachers and all officers, agents and servants of the said college, and the board shall have full

power from time to time to make and alter or vary any by-laws and regulations touching and concerning the time and place of holding ordinary meetings; notices thereof and for the good order and government of the said college, and the board of governors; the performance of divine service therein; the number, residence duties, salary, provision and emolument of the president, professors, tutors, teachers, officers, agents and servants of the said college respectively, and all other matters which to them may seem good, fit and useful for the well ordering, governing and advancement of the said college; and all by-laws when reduced in writing and after the common seal of the college hath been affixed thereto shall be binding upon all persons, members thereof; provided that no such by-law shall be repugnant to the laws of the province or of the Dominion of Canada; provided also that no religious test or qualification shall be required of any person on admission as a student or scholar into the said college.

**12.** It shall be the duty of the board to keep proper records and minutes of all their proceedings and to keep proper books of account of the financial affairs of the college, and present annually a report of the said college, accompanied by a duly audited financial statement, to the Synod of Alberta of the Presbyterian Church in Canada.

**13.** One-third of the board of governors except such as are *ex officio* members shall retire from office annually. Retiring members shall be eligible for office. The said William Ross, D. S. McKenzie, B.A.; J. D. Higinbotham, R. Walter Ure, Hon. A. J. McLean, Rev. F. D. Roxborough, M.A.; Rev. E. McGougan, M.A., and F. H. Tallman shall retire from office in 1913, when their successors shall have been appointed; the said John A. McDougall, E. Michener, W. L. Hamilton, W. E. Lord, T. B. Millar, J. Grant MacGregor, C.E.; G. W. McKenzie, B.A., and Joseph Wallace shall retire from office in 1914, when their successors shall have been appointed; and the said Col. James Walker, Rev. W. G. Brown, B.D.; D. G. McQueen, D.D.; J. C. Butchart, B.A.; W. Short, K.C.; Henry Jamieson, John Malcolm and R. L. Gaetz shall retire from office in 1915, when their successors shall have been appointed.

**14.** For ordinary business five members shall constitute a quorum of the board, unless otherwise fixed pursuant to section 8.

**15.** Vacancies in the board shall be filled by the remaining members of the board for the unexpired term of office of any member resigning or ceasing to be a member.

**16.** Any member of the board absenting himself from the meetings of the board for twelve consecutive months without leave or permanently removing from the Province of Alberta, or who for reason becomes incapacitated, shall *ipso facto* forfeit his membership on the board.

**17.** The board shall annually elect one of their members to preside as chairman over all meetings, who with the president shall sign all deeds and papers, and instruments in writing, for and on behalf of the corporation. In the absence of the chairman at any meeting the members may elect from among themselves a chairman for that meeting who shall have all the powers of the chairman to transact, execute and seal all documents of the corporation arising out of the business transacted at that meeting.

**18.** All questions shall be decided by the majority of members present at board meetings.

**19.** The board shall have power from time to time to appoint an executive committee, or any other committee, of which the president of the college shall *ex officio* be a member to which it may assign such business as it deems necessary and expedient.

**20.** The members of the board with the president and professors or tutors of the various departments of the said college shall have power and authority to prescribe the studies, lectures, examinations and exercises of the students and shall have the management and supervision of such affairs of the college as shall from time to time be assigned them by the board.

**21.** While the chief and primary object of the corporation shall be to carry on educational work among girls and young women both in junior and higher branches, nevertheless the board shall have power and authority to undertake a similar work for youth of the male sex, whensoever it shall be deemed proper and expedient so to do.