

BILL

No. 28 of 1913 (Second Session).

An Act to Incorporate The Bishop Pinkham College.

(Assented to 1913).

WHEREAS the Executive Committee of the Synod of the Diocese of Calgary has petitioned for an Act for the incorporation of the Bishop Pinkham College for the purpose of conducting a theological college and a school for the education of boys, and 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 Right Reverend W. Cyprian Pinkham, D.D., Bishop of Calgary; the Very Reverend Dean Paget, E. H. Riley, C. F. P. Conybeare, K.C., A. M. Pinkham, the Venerable Archdeacon Dewdney, Reverend A. P. Hayes, Reverend Canon Murrell Wright, H. R. Harper, F. E. Eaton, F. S. Sanderson, S. Houlton, Reverend H. Montgomery, the Venerable Archdeacon Tims, W. A. Geddes, the Venerable Archdeacon Hogbin, Reverend W. G. James and W. R. Hull, together with such other persons as may from time to time be appointed as hereinafter provided, are hereby constituted a body corporate and politic under the name of "The Bishop Pinkham College" for the purpose of conducting a theological college and a school for the education of boys.

2. The corporation shall by the name of The Bishop Pinkham College have perpetual succession and a common seal with power to change, alter, break and renew the same when and so often as they may think proper; and the said corporation may under the said name contract and be contracted with, sue and be sued, plead and be impleaded, in all courts and places whatsoever in Alberta, and by such name, may from time to time and at all times hereafter purchase, lease, acquire, hold, possess and enjoy, and may have, take and receive for themselves and their successors lands, tenements and hereditaments and real and immovable property and estate within Alberta necessary for actual use and occupation as college or school buildings and offices, residences of professors, tutors, students and officers, with gardens, pleasure grounds, athletic grounds and other grounds for use for college or school purposes pertaining thereto, and the same may sell, let on lease or on hire, alienate and dispose of and others in their stead purchase, lease, acquire and hold, for the purposes and uses aforesaid.

3. The said corporation in its corporate name 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, hereditaments, and any and all property, moveable or immovable, stocks, shares, lands, debentures, money or securities for the payment of money by purchase, gift, devise, 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 purposes of the said corporation.

4. It shall be lawful for the said corporation and it is hereby empowered to draw, accept and make and to endorse, discount and negotiate bills of exchange and promissory notes and other negotiable instruments, to borrow or raise money by the issue of bonds, mortgages or any other securities founded or based upon all or any of the property and rights of the corporation or without any such security and upon such terms as to priority or otherwise as the corporation shall see fit, to sell, let on lease, or on hire, exchange, mortgage, hypothecate or otherwise dispose of or pledge any lands, tenements or hereditaments, or other real and personal property, stocks, shares, lands, debentures or securities, of which it may at the time of the passing of this Act or at any future time be or 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 or 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 said corporation or given or bequeathed to it in any land, stock, 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 or any municipality or school district in Alberta, or upon the security of any real or personal property, or in the purchase of rental bearing real estate, or to take, hold and dispose of any real or personal property or interest 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 *bona fide* mortgaged, hypothecated or pledged to the said corporation by way of security or conveyed to it in satisfaction of debts previously contracted or purchased at judicial sales upon levy for such indebtedness or otherwise purchased for the purpose of avoiding a loss to the corporation in respect thereof.

7. The college and school shall be under the management and administration of a Board of Governors of which the Bishop of Calgary for the time being shall be *ex officio* president and chairman, which board of Governors shall consist of not less than twelve nor more than twenty-four members who shall be appointed by the executive committee of the Synod of the Diocese of Calgary, and the duties of such board shall be defined by said executive.

8. The persons named in paragraph 1 hereof shall be the first board of Governors under this Act and shall hold office until their successors are appointed as hereinafter provided.

9. The board shall when authorized by the said executive committee have full power from time to time to appoint and remove the principal or other head, the professors, tutors and masters, and all officers, agents and servants of said theological college and boys' school or either of them, and the board shall have full power from time to time to make, alter or vary any by-laws and regulations touching and concerning the time and place of holding board meetings,

notices thereof, the procedure thereat, and for the good ordering and government of the said theological college and boys' school or either of them, the number, residence, duties, salary, provisions and emoluments of the principal or other head, professors, tutors, masters, officers, agents and servants of the said theological college and boys' school or of either of them, respectively, and all other matters and things which to them may seem good, fit and useful for the well ordering governing and advancement of said theological college and boys' school or of either of them; and all such by-laws when reduced into writing and after the common seal of the corporation has 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 of Alberta or of Canada.

10. It shall be the duty of the board of governors to keep proper records and a minute book of all their proceedings and to keep or cause to be kept proper books of account of the financial affairs of the corporation and to present a report thereof accompanied by a financial statement duly audited by the regular auditors of the Synod of the Diocese of Calgary, to the executive committee of the synod at least once in every year and oftener if the executive committee shall so require.

11. One-third of the elected members of the said board of governors shall retire from office on the last day of August in each year and should the number of the said board not be a multiple of three then the number nearest to one-third shall retire each year. For the first two years the executive committee of the Diocese of Calgary shall decide which of the members of the board of government shall retire.

12. One-third of the members shall be a quorum of the board of governors.

13. In the event of the absence of the Bishop from the Diocese his place shall be taken by his commissary and in the event of the See being vacant then for the time being the Dean or other clergyman exercising the presidency of the Synod.

14. All questions shall be decided by the majority of members present at board meetings; the chairman shall not vote except when a casting vote is necessary.

15. The board of governors shall have power to appoint a management committee or management committees for the conjoint or separate management of the theological college and the boys' school. In the event of the committee being the conjoint one the principals of the theological college and the boys' school shall be *ex officio* members thereof. In the event of separate committees such principals shall be members of the committee only for the college or school of which they are the head, and any such committee shall exercise and perform such duties as may be assigned to it by the board of governors or which such board may deem necessary or expedient.

16. There shall be a senate for the theological college to be composed of the principal as vice-chancellor and professors thereof with such other persons as the executive

committee may appoint and the bishop who shall *ex officio* be the chancellor, which shall have power and authority to confer degrees in Divinity, to direct the studies, lectures, examinations and exercises of the students thereof and shall have the management and supervision of such affairs of the theological college as shall from time to time be assigned them by the executive committee or by the board of governors.

17. The corporation shall have power to secure the affiliation of the said theological college with any university authorized to grant degrees in theology or divinity, and thereafter to confer such degrees in the name and under the regulations prescribed by such university.

18. The chancellor, or in his absence the principal of the theological college shall call and preside at all meetings of the senate, and in his absence the chairman shall be chosen by the members present.

19. All questions which shall come before the senate shall be decided by a majority of the members present. In case of equality of votes the principal or chairman shall have the second or casting vote.

20. The words "Synod" or "Synod of the Diocese of Calgary" shall mean the synod of the Diocese of Calgary as incorporated by chapter 33 of the Ordinance of the North-West Territories, 1891-1892, and the words "Bishop" or "Bishop of Calgary" and "Executive Committee" shall have the same meaning as attached to them under said Ordinance, wherever such words may be used herein.

21. The head office of said corporation shall be at the City of Calgary.

No. 28

FIRST SESSION
THIRD LEGISLATURE

4 GEORGE V

1913
(SECOND SESSION)

BILL

An Act to Incorporate The Bishop
Pinkham College.

Received and read the

First time.....

Second time.....

Third time.....

MR. TWEEDIE

EDMONTON:
J. W. JEFFERY, Government Printer
A.D. 1913