

AN ACT RESPECTING WESTERN CANADA COLLEGE

Reciting
incorporation
in 1903
Cap. 39

WHEREAS by an Ordinance of the North West Territories, 1903 (First Session) Chapter 39, entitled "An Ordinance to incorporate Western Canada College" certain persons as shareholders were thereby constituted a body corporate and politic under the name of "Western Canada College" for the purpose of establishing, maintaining and conducting an institution of learning for the education of youths of both sexes or of either sex, with the rights and powers in said Ordinance set forth.

Carrying
on
business
since
incorporation

AND WHEREAS the said Corporation has since said date carried on and is still carrying on the said work of education and in connection therewith has expended large sums of money and has acquired valuable property in lands, buildings and personal property, and by its petition in that behalf has prayed that the said Corporation so created as aforesaid should be continued with certain changes in its constitution and government as hereinafter set forth.

"Old Boys
Association
of Western
Canada
College" to
have share
in manage-
ment

AND WHEREAS during the late war a large number of the old boys of said College have gone to the front, many of whom have given their lives as a sacrifice for their country and in the cause of liberty. And it is desirable that as a continual memorial of such sacrifice a share in the future control, regulation and management of the affairs of the College should be given to a body heretofore existing and hereafter to be constituted and continued by the name of "The Old Boys Association of Western Canada College."

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

Confirming
and

1. The said Corporation created as aforesaid is hereby continued and confirmed a body corporate and politic under its said name of "Western Canada College" and by that name shall

continuing
incorporation

as heretofore have perpetual succession and a common seal and may under that name sue and be sued and shall continue to have all the rights and privileges incident to a Corporation and as hereinafter mentioned.

Power to
carry on
institution
of learning

2. The said Corporation shall as heretofore have and continue to have power and legal authority to establish, equip, conduct and carry on in or near the City of Calgary an institution of learning, for the education and instruction of youths of both sexes or of either sex in the elementary and higher branches of knowledge and to do all such acts, matters and things as are incidental to the attainment of said objects.

Institution
to be
undenominat-
ional

3. The said institution shall be and continue to be undenominational and no religious test shall be required of any trustee, principal, master, teacher, officer or servant of the institution, or of any pupil or student, but the board of trustees hereinafter provided for may make such regulations as they think expedient touching the physical and moral training and conduct of the pupils and students and for their attendance upon public worship in their respective churches or other places of religious worship and respecting their religious instruction by their respective ministers according to their respective faiths and every facility shall be afforded for such purposes.

Right to hold
and dispose
of
property

4. The right and title to all property real and personal held or enjoyed by the said Corporation at the date of the coming into force of this Act is hereby continued and vested in the said Corporation as hereby constituted, and the Corporation shall have power to hold, own, receive, purchase, take on lease or exchange, hire, or otherwise acquire any such real and personal property as its board of trustees may deem requisite or desirable for the purposes of the said institution and also to mortgage, sell, lease, transfer and otherwise dispose of the same or any part thereof and also to receive and hold for the use and benefit of the Corporation all

gifts, scholarship bursaries or donations, special or general and any legacies, devises or bequests of property real or personal absolutely or on any trusts relating thereto which may be directly or indirectly for the benefit of the Corporation and also to sell, transfer and convert into money all such property real and personal and to apply the proceeds thereof directly or indirectly to or for the benefit of the Corporation.

Head office in or near Calgary

5. The Head Office of the said Corporation shall be in or near the City of Calgary.

Power to be vested in trustees and their number

6. The control, regulation and management of the property, business and affairs of the Corporation are hereby vested in a board of trustees to consist of an even number, not less than six nor more than twelve in number, to be elected annually as hereinafter provided, but the number of said trustees may be increased or reduced from time to time within the limits aforesaid.

Annual election of trustees

7. One half in number of said trustees shall in each year be elected by the then retiring board and the other half in number shall be elected by an Association of the past pupils or students of said institution to be constituted and to be known as the "Old Boys Association of Western Canada College"

Constitution of "Old Boys Association of Western Canada College"

8. The Constitution and regulation of said Association shall always be subject to the approval of the board of trustees and the terms, conditions and regulations for the election of trustees by said Association and for the conduct of and voting at such election shall be such as may from time to time be provided and directed by the board of trustees.

Regulation for election of trustees.

9. The board of trustees shall also from time to time fix, determine and make the regulations for the election of the trustees to be elected by the board and for the taking of the vote thereon.

10. Any male British subject by birth or naturalization,

Qualification
of
trustees

of the full age of twenty-one years resident in the City of Calgary shall be qualified and eligible to be elected a trustee and any retiring trustee shall be eligible for re-election.

11.
Election
of new
Board of
Trustees.

So soon as conveniently may be after the coming into force of this Act the trustees shall proceed to the election of trustees as hereby provided.

12.
Until new
Board elected
present
trustees to
hold office.

Until trustees have been elected as above provided, the trustees of the said Corporation who immediately before the coming into force of this Act were the trustees shall be and continue to be the trustees of said Corporation with all the powers and duties of trustees elected under the provisions of this Act, and all trustees shall hold office until the election of their successors.

13.
Power to pay
and cancel
shares

The trustees are hereby authorized and empowered to call in, pay and cancel all outstanding shares of the Corporation with such interest payable in respect thereof as they may fix and determine and for the purpose of such payment to issue debentures chargeable upon all the property real and personal of the Corporation in such amounts and payable at such time or times and with such interest as the trustees may determine but the payment of such debentures shall be within twenty years from the date thereof.

14.
Share-
holders to be
entitled to
payment

Upon the coming into force of this Act the shareholders of said Corporation shall thereupon cease to be members thereof but they and each of them shall nevertheless be entitled to receive, sue for and recover from said Corporation the amount of cash or debentures payable in respect of his, her or their shares with interest as aforesaid.

15.
Keeping
books and
accounts
and audit

The trustees shall cause to be kept proper minutes of their meetings and true accounts of all moneys received and expended and of the assets, credits and liabilities of the corporation and in each year the correctness thereof shall be ascertained and certified to by one or more Auditors appointed by the trustees.

16. The Corporation shall at all times when thereunto required by the Lieutenant Governor in Council, or by the Legislative Assembly of the Province of Alberta, make a full return of its property, real and personal and of its receipts and expenditures with such details and other information as the Lieutenant Governor in Council or the Legislative Assembly may require.
- Right of Lieut. Govr. and Legislative Assembly to demand returns
17. Without prejudice to the general or other powers hereby conferred or implied it is expressly declared that the trustees shall have the following powers, that is to say power:-
- Power of Trustees
- (1) To pay the costs, charges and expenses of and incidental to the passing of the Act.
- To pay costs of act
- (2) From time to time at their discretion to borrow any sum or sums of money deemed necessary for the purposes of the Corporation.
- To borrow money
- (3) To secure the repayment of such moneys in such manner and upon such terms and conditions in all respects as they may think fit and in particular by mortgaging all or any part of the property real and personal of the corporation or by promissory note or other negotiable instrument or by the issue of debentures chargeable upon all or any part of the property of the corporation.
- To secure repayment of borrowed moneys
- (4) To purchase or acquire by gift or otherwise any property, rights or privileges which the corporation is authorized to acquire at such price and generally on such terms and conditions as they may deem proper.
- To acquire property
- (5) To determine who shall be entitled and have power to sign on behalf of the corporation all deeds, transfers, mortgages, leases, contracts, agreements, discharges, cheques, promissory notes and other negotiable instruments, and in no case shall it be necessary to affix the corporate seal to any instrument unless by some Statute it is so expressly required.
- To authorize signing of documents, etc.
- (6) To fix and determine the officers of the

To appoint officers and fix powers

corporation and the mode of electing or appointing the same and their respective powers, duties, salaries and qualifications.

To appoint and dismiss teachers etc.

(7) To select, appoint and engage all such teachers, instructors, servants and employees as they may deem necessary in connection with the said institution and to fix and determine their respective terms of office, powers, duties, qualifications and salaries and the same from time to time to dismiss and discharge.

To make rules for government of College

(8) To make such regulations for the management, government and discipline of the said institution and for the admission of pupils or students and for determining their course of studies and for the boarding and lodging in residence of such as may desire the same and to fix the terms and charges therefor.

To make arrangements with Legislative and other authorities.

(9) To enter into any arrangements with any authorities, legislative, municipal, local or otherwise which may seem conducive to the objects of the corporation or any of them and to obtain from any such authority any rights, privileges or concessions which they may think desirable.

To erect buildings

(10) To erect, construct, furnish, equip, maintain and alter any buildings they may deem necessary or convenient for the purposes of the Corporation.

To delegate powers to committees

(11) To delegate any of their powers to an executive or other committee of members of their own body as they may think fit subject to such terms as may be imposed on such committee.

To change number of trustees.

(12) From time to time to change the number of the members of the board of trustees, but within the limits and as hereinbefore prescribed.

To fill vacancies in Board

(13) From time to time to appoint any qualified person as a trustee to fill a casual vacancy and any trustee so appointed shall hold office only until the next following election.

To establish
scholarships

(14) To establish any scholarships on such conditions as they may deem advisable.

To regulate
meetings.

(15) To regulate their meetings, the time and mode of calling same, and the proceedings thereat and to determine the quorum necessary for the transaction of business at any such meeting.

To appoint
visitors

(16) To appoint such person or persons as they may deem proper to be a visitor or visitors of the institution with such powers of inspection and report as the board may direct.

Resolution
signed by
all members
to be valid

(17) A resolution in writing signed by all the members of the board of trustees or by all the members of any executive or other committee shall be as valid and effectual as if it had been passed at a meeting of the board of trustees or of any such committee respectively duly called and constituted.

Validating
Act of
trustees

(18) All acts done by any meeting of the board of trustees or by any committee of such board or by any person acting as a member of such board or committee shall notwithstanding that it shall afterwards be discovered that there was some defect in the appointment of such trustee, committee or person acting as aforesaid or that they or any of them were or was disqualified, be as valid as if every such trustee or person had been duly appointed and was qualified to be a trustee or member of such committee

Liability
of trustees

(19) No trustee shall be liable or responsible for any debt or for any act, default or liability whatsoever of the said Corporation.

Repealing
previous
Ordinances
and Act.

The said Ordinance Chapter 39 and the Amending Ordinance 1904 Chapter 34 and the Statute of said Province 1906 Chapter 62 are hereby repealed.

RE: WESTERN CANADA COLLEGE

PROPOSED ~~Act~~ WITH MARGINAL NOTES
