

BILL

No. 2 of 1925.

An Act respecting The Alberta Conference Association of Seventh Day Adventists.

(Assented to _____, 1925.)

WHEREAS, at the instance of The Alberta Conference of Seventh Day Adventists, a corporation named "The Alberta Conference Association of Seventh Day Adventists," hereinafter referred to and designated as the "Association," was incorporated in 1906 in accordance with the provisions of *An Ordinance respecting Benevolent and other Societies*, chapter 66 of the Consolidated Ordinances of the North-West Territories of Canada, and has by its petition prayed that an Act be passed by the Legislature of this Province to enact as hereinafter set forth with regard to the corporate status, property, rights, and duties of the Association;

And whereas, 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 corporate status of the Association shall not be deemed to have been affected and the rights and powers of the Association shall not be deemed to have been restricted or diminished by the repeal of *The Benevolent Societies Act*, being chapter 159 of The Revised Statutes of Alberta, 1922, and from and after the said repeal of *The Benevolent Societies Act* until the coming into force of this Act the rights and powers of the Association shall be deemed to have been those set out in sections 17, 18 and 19 of *The Societies Act*, 1924, being chapter 11 of the Statutes of Alberta, 1924.

2. The members of the Association shall consist of and ^{Members.} shall be deemed to have consisted of the original subscribers to the declaration filed prior to the incorporation of the Association pursuant to the provisions of the *Ordinance respecting Benevolent and other Societies*, being chapter 66 of the Consolidated Ordinances of the North-West Territories, together with such persons as are from time to time the qualified voters of the said Alberta Conference of Seventh Day Adventists and no person shall be deemed to

be a member of the Association except when such person is a qualified voter of the said Alberta Conference of Seventh Day Adventists.

Head office. **3.** The domicile or head office of the Association shall be at the city of Calgary, in the Province of Alberta, or in such other place in Alberta as may from time to time be designated by by-law of the Association.

Objects. **4.** The objects of the Association are to promote religious and charitable work and unify and extend the interests of the gospel in Alberta and the mission fields of the world, and to promote and support Christian missions and missionary schools and colleges throughout Alberta, and to erect, maintain and conduct churches, schools, colleges, publishing houses, hospitals, and sanitariums in Alberta, and to administer in Alberta the property, business and other temporal affairs of the Association and such of the property, business and other temporal affairs of The Alberta Conference of Seventh Day Adventists, as may be entrusted to the Association by the said Conference.

Trustees. **5.** The trustees of the Association shall consist of the president and of the treasurer of The Alberta Conference of Seventh Day Adventists, by virtue of their respective offices, together with not less than three and not more than twelve to be elected from amongst the members of the Association.

Present trustees. **6.** Jacob Judson Reiswig, of the town of Lacombe, and James Maxwell Acourt LeMarquand, of the city of Calgary, in the Province of Alberta, president and treasurer respectively of The Alberta Conference of Seventh Day Adventists by virtue of their said offices of president and treasurer respectively of The Alberta Conference of Seventh Day Adventists and their successors in office, Alva V. Farnsworth, of the village of Cassels, Oscar Ziprick and David Eugene Reiner, both of the city of Calgary, in the Province of Alberta, being the present trustees of the said Association, shall continue as the trustees of the Association until the Association in general meeting otherwise provides, and shall exercise all the powers and functions of the Association.

By-laws. **7.** The Association may, from time to time, make by-laws not contrary to law or inconsistent with the provisions of the constitution of The Alberta Conference of Seventh Day Adventists, for—

- (a) the appointment, subject as herein provided, of a board of trustees for the administration, management and control of the property, business and other temporal affairs of the Association and defining the powers of the trustees;

- (b) the appointment, functions, duties and remuneration of all officers, agents and servants of the Association;
- (c) the appointment of committees and defining their duties;
- (d) the calling of meetings, regular or special, of the Association or of committees;
- (e) the fixing of the necessary quorum and procedure in all things at such meetings;
- (f) generally, the carrying out of the objects and purposes of the Association.

8. From and after the coming into force of this Act the Association may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, corporeal or incorporeal, whatsoever, and for any or every estate or interest therein whatsoever given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for, or in favour of the uses and purposes of the Association, or to, for, or in favour of any religious, educational, eleemosynary or other institution established, or intended to be established, by, under the management of, or in connection with the uses or purposes of the Association.

Acquisition
and holding
of real estate.

(2) The aggregate value of the real estate held by or in trust for the Association in Alberta shall not exceed at any one time one half million dollars.

Limit of
value.

(3) The Association may also hold such real property or estate therein as is *bona fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered.

Holding real
property as
security.

9. All property, real and personal, within the Province of Alberta belonging to or held in trust for or to the use of the Association, shall upon the coming into force of this Act be vested in the Association to be held, used and administered subject to the provisions of this Act.

Property
presently
belonging
to the
Association.

10. Subject always to the terms of any trust relating thereto, the Association may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held by the Association, whether by way of investment for the uses and purposes of the Association or not; and may also from time to time invest all or any of its funds or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security by way of mortgage, hypothec or charge upon real property in any part of Alberta; and for the purposes of such investment may take, receive and accept mortgages or assignments thereof, whether made and executed directly to the Association or to any corporation, body, company or person in

Disposal of
real estate
and
investment
of funds.

trust for it; and may sell, grant, assign, transfer and hypothecate such mortgages or assignments either wholly or partly.

Borrowing powers.

11.—(1) The Association may, from time to time for the purposes of the Association—

- (a) borrow money upon the credit of the Association;
- (b) make, draw, accept, endorse or become party to promissory notes and bills of exchange; but it shall not be necessary to have the seal of the Association affixed to any such note or bill;
- (c) mortgage, hypothecate or pledge any property of the Association, real or personal, to secure the repayment of any money borrowed for the purposes of the Association.

Exercise of borrowing powers by trustees.

(2) The powers enumerated in subsection (1) of this section may be exercised by the trustees without calling a general meeting of the Association but subject to the restrictions and limitations, if any, imposed by the Association in general meeting or by the by-laws in force from time to time.

Issue of debentures.

(3) The Association may from time to time borrow money for the purposes of the Association on the security of debentures issued in such denominations and upon such terms as shall have been authorized by a general meeting of the Association. Such debentures shall be sealed with the seal of the Association, and signed by such of its officers as shall be designated in the resolution authorizing the issue and the payment of such debentures and the interest thereon may be secured by a mortgage in favor of a trustee or trustees for the holders of such debentures upon any real estate of the Association in the Province of Alberta designated in the resolution authorizing the issue of such debentures.

Limit of time for holding land.

12.—(1) No parcel of land or interest therein at any time acquired by the Association and not required for its actual use and occupation and not held by way of security, shall be held by the Association or by any trustee on its behalf, for a longer period than ten years after the acquisition thereof, or after it shall have ceased to be required for actual use or occupation by the Association, or any extension of such period, as in this section provided, but shall at or before the expiration of such period or extended period, as the case may be, be absolutely debarred, sold or disposed of, so that the Association shall no longer retain any interest or estate therein, except by way of security.

Extension of time.

(2) The Lieutenant Governor in Council may direct that the time for the sale or disposal of any such parcel of land, or any estate or interest therein, shall be extended for a further period or periods not to exceed five years.

(3) The whole period during which the Association may hold any such parcel of land, or any estate or interest therein, under the foregoing provision of this section, shall not exceed fifteen years from the date of the acquisition thereof, or after it shall have ceased to be required for actual use or occupation by the Association. Fifteen years' limit.

(4) Any such parcel of land, or any estate or interest therein, not within the exceptions hereinbefore mentioned, which has been held by the Association for a longer period than authorized by the foregoing provisions of this section without being disposed of shall be forfeited to His Majesty for the use of Alberta. Forfeiture.

(5) The Association shall give the Lieutenant Governor in Council when required so to do an account in writing of its property and affairs and a full and correct statement of all lands at the date of such statement held by the Association, or in trust for it, and subject to the provisions of this section. Statement as to land.

13. The provisions of this Act shall not be repealed, altered, affected or varied by any of the provisions of any general Act respecting the property of religious societies, congregations or institutions in force in this Province, but the provisions of any such general Act shall, when not inconsistent with the provisions of this Act, be construed as supplementary thereto. Effect of general legislation as to religious societies.

14. The power conferred upon the Association by *An Ordinance respecting Benevolent and other Societies*, being chapter 66 of the Consolidated Ordinances of the North-West Territories, or by *The Benevolent Societies Act*, being chapter 159 of the Revised Statutes of Alberta, 1922, or by this Act to acquire by gift, devise, or bequest any real or personal property shall not be limited or affected and shall not be deemed to have been heretofore limited or affected by any Statute or Statutes of mortmain in force in this Province. Statutes of mortmain not to apply.

15. In so far as authorization by the Legislature of Alberta is necessary, any person in whose name any property, real or personal, is held, in trust or otherwise, for the uses and purposes of the Association, or any such person to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Association. Power to transfer property held in trust.

No. 2.

FIFTH SESSION
FIFTH LEGISLATURE
15 GEORGE V
1925

BILL

An Act respecting The Alberta Conference Association of Seventh Day Adventists.

Received and read the

First time.....

Second time.....

Third time.....

MR. BUCKLEY.

EDMONTON:
J. W. JEFFERY, KING'S PRINTER
A.D. 1925