

*An Act to Incorporate
The Grand Lodge of
Saskatchewan of the
Independent Order of
Odd Fellows*

being a Private Act

Chapter 54 of the *Statutes of Saskatchewan, 1910-11*
(effective March 14, 1911).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

1	Incorporation	11	Investing of funds
2	Power to purchase and hold property	12	Security to be furnished by treasurer
3	Borrowing power	13	No member to have power to transfer interests
4	Power to make bylaws	14	Devolution of property of lodge ceasing to exist
5	Appoint officers and their successors	15	May secure debt by mortgage
6	Subordinate lodges to become incorporated/ Powers of subordinate lodges	16	Subordinate lodges to be amenable to grand lodge
7	Disposition of realty in excess of what may be held	17	Effects of suspension or expulsion
8	Execution of deeds, etc.	18	Dissolution of subordinate lodge
9	Subordinate lodges coming under this Act	19	Limited liability of members
10	Subordinate lodges to produce certain proofs	20	Returns

SCHEDULE

1910-11
CHAPTER 54

An Act to incorporate The Grand Lodge of Saskatchewan of the
Independent Order of Odd Fellows

(Assented to March 14, 1911)

Preamble

WHEREAS certain persons are associated together in this province under the name of "The Grand Lodge of Saskatchewan of the Independent Order of Odd Fellows" and have by petition prayed that they should be incorporated enabling subordinate lodges to be also incorporated;

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 Saskatchewan enacts as follows:

Incorporation

1 Herbert Chandler Pierce, of Wadena; Henry Ernest Armstrong, Frank Johnson Reynolds, Leonard Rankin, all of Regina; Harvey Hamilton Fleury, of Indian head; James Wallbridge Cunningham, of Wauchope; John Alexander Macdonald Patrick, of Yorkton, John Tucker, of Moosomin; John Rutherford, of Moose Jaw, and their successors and such and so many other persons as have become and shall become members thereof shall be and are hereby constituted a body politic and corporate under the name of "The Grand Lodge of Saskatchewan of the Independent Order of Odd Fellows."

1910-11, c.54, s.1.

Power to purchase and hold property

2 The said corporation shall have perpetual succession and a common seal with power to alter or change the said seal by bylaw to that effect and shall have power from time to time and at all times hereafter and shall be able and capable to purchase, acquire, hold, possess and exchange and to have, take and receive by gift or devise to them and their successors to and for the actual use or occupation of the said corporation any real and personal estates provided that such real estate shall not exceed the sum of \$200,000 and the same to sell, alienate, lease, exchange and otherwise dispose of whensoever the said corporation may deem it expedient so to do; and by the same name may sue and be sued and prosecute and defend all manner of actions both at law and in equity; and the said corporation may have any number of subordinate lodges in the province to promote the objects thereof.

1910-11, c.54, s.2.

Borrowing power

3 The said corporation may from time to time borrow money not to exceed in the whole the sum of \$75,000 for such purposes and upon such terms as it shall think proper and expedient and hypothecate, pledge or mortgage their real or personal property; and issue debentures secured by mortgage or otherwise; and subject to the said limitation may borrow money upon the promissory note or notes of the said corporation from any person or corporation.

1910-11, c.54, s.3.

c. 54 INDEPENDENT ORDER OF ODD FELLOWS, SASKATCHEWAN**Power to make bylaws**

4 The said corporation shall have power to make any bylaws, rules and regulations not being contrary to law or to the provisions of this Act with power to amend and repeal the same for all purposes relating to and bearing on the well being and interests of the said corporation and any subordinate lodge in communion therewith and shall in such bylaws, rules or regulations declare the objects of such corporation and its subordinate lodges.

1910-11, c.54, s.4.

Appoint officers and their successors

5 The said grand lodge shall have power to appoint any of its present officers or such other members or officers of the association for the management of its funds and property as may be deemed expedient, to prescribe their duties and to require such security as may from time to time be deemed proper from such officer or officers or any of them for the faithful performance of their respective duties; and may be itself or its grand master suspend or remove them or any of them at pleasure; and may make and ordain and put in execution such bylaws and rules or regulations as may be deemed necessary for the purpose aforesaid not inconsistent with the laws of this province.

1910-11, c.54, s.5.

Subordinate lodges to become incorporated/Powers of subordinate lodges

6 Each subordinate lodge of the Independent Order of Odd Fellows now organised in Saskatchewan or which may hereafter become organised by or under the authority of the said grand lodge within Saskatchewan may in the manner hereinafter specified by and become a body politic and corporate by the name and number by which it may be designated by such grand lodge and whenever a subordinate lodge shall become incorporated as aforesaid it shall have the same powers and privileges as are hereinbefore conferred upon the said corporation for acquiring, purchasing, holding, having, taking, receiving by gift or devise, exchanging, selling and leasing all real and personal estate, for prosecuting and defending any actions and for borrowing money and mortgaging and executing instruments as security therefore and to make and pass, amend and alter bylaws, rules and regulations subject to the approval of the said grand lodge or by the executive committee of said grand lodge between one session of the said grand lodge and another (meaning during recess) being first obtained thereto before the same shall become valid and binding upon such subordinate lodge.

1910-11, c.54, s.6.

Disposition of realty in excess of what may be held

7 In the event of the real estate of the said corporation or of any subordinate lodge exceeding in value the sum hereinbefore respectively limited or by any gift, donation or devise to such corporation or any subordinate lodge such real estate, gift, donation or devise shall not lapse or be forfeited but the said corporation or subordinate lodge shall be capable of holding the same and shall as soon as may be expedient thereafter sell and convert into personalty the same or so much thereof as shall be necessary to comply with the provisions of this Act.

1910-11, c.54, s.7.

Execution of deeds, etc.

8 All deeds, mortgages, discharges, bonds or other instruments executed in accordance with powers conferred by this Act by the said corporation or any subordinate lodge shall be sealed with the corporate seal and signed by the presiding officers and secretary of such corporation or subordinate lodge or such other persons as may be thereunto appointed by bylaw.

1910-11, c.54, s.8.

Subordinate lodges coming under this Act

9 Each subordinate lodge now established or which may hereafter be established under the authority of the said grand lodge and which may by desirous of becoming incorporated shall and may by a resolution approved by a vote of at least two-thirds of the members present at any regular meeting resolve to become so incorporated and upon evidence by statutory declaration being filed with the provincial secretary showing that said lodge is a subordinate lodge of the grand lodge and that such resolution has been passed and upon filing therewith a copy of its constitution or bylaws, if any, and if there be no constitution or bylaws evidence of the fact and a certificate of the grand lodge under the seal thereof and under the signature of its presiding officer and secretary that such subordinate lodge is in good standing in the order; the members of such subordinate lodge whose names may be included in such resolution aforesaid and their associates and successors, members of such subordinate lodge shall be and become from the time of the issuing by the provincial secretary of his certificate hereinafter provided for a body politic and corporate as aforesaid by the style or name and number by which it may be designated by the said grand lodge and as such shall have perpetual succession and a common seal with power to change or alter the said name and number or the said seal by bylaw to that effect approved according to such regulations as may be in force under any rule, regulation or bylaw of such grand lodge.

1910-11, c.54, s.9.

Subordinate lodges to produce certain proofs

10 Any subordinate lodge which shall seek to become incorporated under this Act or shall seek to become a body politic and corporate entitled to the powers, rights, immunities or privileges hereof shall be entitled upon producing and filing of the proofs, documents and certificates aforesaid to receive a certificate of incorporation under the provisions hereof, under the hand of the provincial secretary which shall be in form A in the schedule to this Act; and such certificate shall be final and conclusive evidence that such subordinate lodge is a corporation under this Act.

1910-11, c.54, s.10.

Investing of funds

11 It shall be lawful for the said grand lodge or for any of the said incorporated subordinate lodges and they are hereby respectively empowered from time to time by and with the consent of such grand lodge or of such subordinate lodge to be attested in such manner as may be directed by their bylaws to lay out and invest all such sums of money as they or any of them desire to lay out or invest in real estate or on first mortgage on real estate or in public or private stocks or on deposit in any chartered bank of Canada or in the Canadian Post Office Savings Department, or in such manner as such grand lodge or any subordinate lodge may

c. 54 INDEPENDENT ORDER OF ODD FELLOWS, SASKATCHEWAN

direct but not on promissory notes or to its own members; and from time to time with the like consent to alter, sell, transfer, assign and discharge such securities, real estate, stocks or deposits respectively; and otherwise reinvest and dispose of the same and the certificate, bill of sale, deed or other instrument of transfer, assignment, sale or discharge of such estate, stock, deposits or security shall be made under the seal of such grand lodge or of such subordinate lodge and signed by the presiding officer and the secretary and treasurer of such grand lodge or of such subordinate lodge and all such investments shall be made in the name of such grand lodge or of such subordinate lodge:

Provided always, that no such real estate shall be sold or otherwise disposed of without the consent first had and obtained of at least two-thirds of the members of the said grand lodge or of such subordinate lodge present at a regular meeting such consent to be by a resolution of such grand lodge or subordinate lodge passed at the regular meeting of such grand lodge or subordinate lodge after the usual or reasonable notice to the members thereof respectively stating the object of such meeting.

1910-11, c.54, s.11.

Security to be furnished by treasurer

12 It shall and may be lawful for the said grand lodge and for each subordinate lodge so incorporated to receive from the treasurer thereof or any officer thereof receiving or handling moneys from time to time in its corporate name sufficient securities by bonds with one or more surety or sureties or otherwise as such grand or subordinate lodge may deem expedient for the faithful performance of his duty as such; and that he will when required to do so truly account for and pay over from time to time as directed by such grand or subordinate lodge all such sum or sums of money, funds or other property as may come into his hands or under his control belonging to the said grand or subordinate lodge; and shall render and deliver up to the said grand or subordinate lodge or his or its successors in office or any other person authorised by this Act or by any bylaws or regulation passed hereunder to return them all such moneys, funds, deeds, bonds or mortgages or stock or any other funds in his possession or under his control belonging to the said grand lodge or any subordinate lodge at the expiration of his term of office or at any time fixed by the said grand lodge or subordinate lodge; and such security may be taken from a company duly empowered for such purposes.

1910-11, c.54, s.12.

No member to have power to transfer interests

13 No member of the aforesaid grand lodge or of any subordinate lodge so incorporated shall have any power to assign or transfer to any person or persons whomsoever any interest which he may have to or in the funds or property of the said grand lodge or any subordinate lodge but the same shall at all times be the property and remain under the control of the said grand lodge or subordinate lodge respectively and no property or stock of any kind belonging to the said incorporated grand lodge or any subordinate lodge shall be subject to the payment of the private debts of any of its members nor liable to be taken in execution by any judgment creditor against any individual member or members of the said grand lodge or any subordinate lodge.

1910-11, c.54, s.13.

Devolution of property of lodge ceasing to exist

14 Should any subordinate lodge cease to exist or be dissolved from any cause whatsoever the property (real and personal) held or belonging to such subordinate lodge shall at once vest in the said grand lodge but charged with the payment of the debts of such subordinate lodge to the full extent of such property:

Provided that such devolution of property upon the said grand lodge shall in no way affect or prejudice the powers conferred thereon for holding property.

1910-11, c.54, s.14.

May secure debt by mortgage

15 Whenever a debt has been or shall be contracted by any such lodge incorporated under this Act for the building, repairing, extending or improving of any building or for acquiring land held by any such lodge under the provisions of this Act or for the purchase of the land on which the same has been or is intended to be erected any such incorporated lodge may from time to time secure the debt or any part thereof by a mortgage upon the land and buildings or may borrow money to pay the debt or part thereof and may secure the repayment of the loan and interest by a mortgage upon its land and buildings or part thereof upon such terms as may be agreed upon.

1910-11, c.54, s.15.

Subordinate lodges to be amenable to grand lodge

16 All subordinate lodges that may become incorporated under the provisions of this Act and the members thereof shall from henceforth be and become subject and amenable to the bylaws, rules and regulations of the said grand lodge and shall have and exercise all their powers and privileges under this Act subject to the said bylaws, rules and regulations of the said grand lodge and not otherwise.

1910-11, c.54, s.16.

Effects of suspension or expulsion

17 When any member is expelled or suspended by any subordinate lodge or by the said grand lodge the said member shall cease to have any interest or claim whatever upon the funds or property of such grand lodge or subordinate lodge while under such suspension or expulsion:

Provided that in the case of suspension such member shall be restored to his rights and privileges upon being reinstated or such suspension vacated.

1910-11, c.54, s.17.

Dissolution of subordinate lodge

18 In case the grand lodge declares the authority or charter of any subordinate lodge forfeited pursuant to the bylaws, rules and regulations of the said grand lodge such subordinate lodge shall be and be held to be dissolved from the date of the resolution declaring such forfeiture.

1910-11, c.54, s.18.

Limited liability of members

19 No officer or member of such grand lodge or of any subordinate lodge shall be or be held liable or responsible for any debt or obligation of such grand lodge or subordinate lodge beyond the extent of any unpaid dues or subscriptions owing by him to such lodge.

1910-11, c.54, s.19.

c. 54 INDEPENDENT ORDER OF ODD FELLOWS, SASKATCHEWAN

Returns

20 It shall be the duty of the said corporation at all times when called upon by the Lieutenant Governor in Council to render an account in writing of the property of the corporation in which shall be set forth in particular the income by it derived from property held under this Act and the source from which the same has been received and such other particulars as the Lieutenant Governor in Council may require.

1910-11, c.54, s.20.

SCHEDULE.

FORM A.
(Section 10.)

CERTIFICATE OF PROVINCIAL SECRETARY.

This is to certify that Subordinate Lodge _____ No. _____

Independent Order of Odd Fellows located at _____ in the Province of Saskatchewan has produced and filed certain proofs that will entitle such subordinate lodge to be registered under the Act intituled "*An Act to incorporate the Grand Lodge of Saskatchewan Independent Order of Odd Fellows.*"

Provincial Secretary.