

# ***An Act to Incorporate Dalmeny Home for the Aged***

*being a Private Act*

Chapter 107 of the *Statutes of Saskatchewan, 1950*  
(effective January 1, 1949).

## **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.

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**1950**

**CHAPTER 107**

**An Act to incorporate Dalmeny Home for the Aged**

(Assented to April 8, 1950)

**Preamble**

WHEREAS the Trustee Board of Dalmeny House for the aged has for some time maintained and conducted a home for the aged or old folks home at Dalmeny in the Province of Saskatchewan; and

Whereas Jacob P. Goertzen, of Dalmeny in the Province of Saskatchewan, retired farmer, Edward G. Wheeler, of Langham in the province aforesaid, farmer, and John J. Baerg, of Dalmeny aforesaid, retired farmer, have presented a petition praying to be vested with corporate powers which would enable them to attain more effectually the purposes and objects of the said Dalmeny Home for the Aged, and for exemption from taxation of the property thereof; and

Whereas the council of the Village of Dalmeny have by resolution consented to the exemption of the property of the said Dalmeny Home for the Aged from all taxes, rates, levies and assessments of every nature and kind which they have power to impose; 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** Jacob P. Goertzen, Edward G. Wheeler and John J. Baerg and such others as are now or shall hereafter from time to time become members of the Trustee Board of Dalmeny Home for the Aged are constituted a body corporate under the name of Dalmeny Home for the Aged.

1950, c.107, s.1.

**Powers**

**2** In addition to the powers, rights and privileges conferred upon or vested in corporations by the laws of Saskatchewan, the corporation shall have full power and authority:

**Acquisition of property**

(a) to acquire by gift or purchase, have, hold, possess and enjoy lands, tenements, hereditaments, rents, annuities and other property, movable and immovable, real and personal of every kind whatsoever; provided that the corporation shall not acquire or hold as purchaser any land except for the actual use and occupation of the corporation or for the purposes of the corporation exceeding in the whole at any time the annual value of \$10,000 and that lands, tenements, hereditaments acquired by gift, devise or bequest not required for the purposes of the corporation the annual value of which together with the other land of the corporation exceeds \$10,000 shall not be

held by the corporation for a longer period than seven years and within such period the same shall be absolutely disposed of by the corporation and in the case of failure to dispose of the same within such seven years such land shall be forfeited to the Crown in the right of the province;

**Disposal of property**

(b) to sell, transfer, alienate, exchange, hypothecate, mortgage, let, lease or otherwise deal with or dispose of any part of its real or personal property or any estate or interest therein or part thereof and with the proceeds thereof to acquire other real and personal property to such extent as may be deemed advisable or desirable or to use such proceeds in the carrying on of its ordinary activities;

**Investments**

(c) to invest all or any sums of money belonging to the corporation in any property or security whatsoever for the use and purposes of the corporation;

**Borrowing**

(d) to borrow from any person, firm or corporation such sum or sums or money as may be found necessary for the purposes of the corporation and to secure any loan to the lender by bonds, debentures, bills of exchange, promissory notes, mortgages or any other instrument that may be deemed advisable;

**Buildings, etc.**

(e) to acquire by gift, purchase or otherwise or to build, erect and enlarge and to manage and conduct all such houses, halls and other buildings as may be found or deemed necessary or convenient for the carrying on of the objects of the corporation and to do all such things as may be deemed necessary to attain all such objects;

**Corporate seal**

(f) to adopt a corporate seal and to change it at will;

**Promissory notes, bills of exchange, etc.**

(g) to draw, make, accept, endorse, execute and issue promissory notes, bills of exchange and other negotiable instruments;

**Fees**

(h) to fix, charge and collect fees for any services rendered by the corporation and for the board and lodging of the residents of any buildings owned or used by the corporation;

**Collections**

(i) to exercise all rights and remedies for the collection or repayment of moneys owing to it in the same manner and to the same extent as any individual may do;

**Bylaws**

(j) to make bylaws, rules, orders and regulations for the government and proper administration of its property, affairs and interests and generally for the internal government of its affairs, and from time to time to repeal and amend the same;

**Philanthropic work**

(k) to carry on charitable and philanthropic work; to collect, solicit and accept funds or other subscriptions for the carrying on of the work of the corporation and for any other religious, charitable or benevolent purpose;

**General**

(l) to do any and all other things that are incidental or conducive to the attainment of the objects for which the corporation is established, namely to propagate the gospel, to establish, manage and operate homes for the aged, old folks homes, and such other buildings, homes, halls, places or things as may be deemed advisable in order to further the benevolent and charitable work of the corporation.

1950, c.107, s.2.

**Property held by trustees to be transferred to corporation**

**3** Every person in whom any property, real or personal, or any interest therein, shall have become vested heretofore, or shall become vested from time to time hereafter, by statute or by gift, devise, deed, conveyance, transfer, lease, bequest or assignment or in any other manner, upon trust for Dalmeny Home for the Aged or any trusts in connection with the said Home shall, upon request of the trustee board and at the board's expense, forthwith assign, convey or otherwise transfer such property or interest therein to the corporation and shall sign and execute all such deeds and instruments and do all such acts as may be necessary for that purpose.

1950, c.107, s.3.

**Execution of documents under seal**

**4** Unless and until the bylaws of the corporation otherwise provide, all transfers, deeds, grants, conveyances, leases, assignments, releases, discharges and all other instruments shall be made and executed by the corporation under its corporate seal and attested by the signatures of the president, vice president and second vice president and when so made and executed shall be sufficient and conclusive.

1950, c.107, s.4.

**Management**

**5** The corporation shall be under the management and administration of the president, vice president and second vice president and a board of directors called the "Trustee Board of Dalmeny Home for the Aged". All questions shall be decided by a majority vote at meetings.

1950, c.107, s.5.

**First trustee board**

**6** The following persons shall constitute the first trustee board under this Act and shall hold office until their successors are appointed in accordance with the bylaws and regulations of the corporation:

Jacob P. Goertzen of Dalmeny, Saskatchewan, retired farmer, President; Edward G. Wheeler of Langham, Saskatchewan, farmer, Vice President; John J. Baerg of Dalmeny, Saskatchewan, retired farmer, Second Vice President; Jacob H. Enns of Dalmeny, Saskatchewan, farmer; Frank H. Bartsch of Dalmeny, Saskatchewan, farmer; John Voth of Dalmeny, Saskatchewan, farmer; Jacob Doerksen of Mennon, Saskatchewan, farmer; Andrew J. Schmidt of Dalmeny, Saskatchewan, farmer; Peter P. Peters of Langham, Saskatchewan, farmer.

1950, c.107, s.6.

**Vacancies on board**

**7(1)** If any member of the board shall die or resign his office, or refuse or neglect to act, or shall cease to reside in Canada, or shall become mentally incompetent, he shall be deemed to have vacated his office as a member of the Trustee Board of Dalmeny Home for the Aged.

**Filling vacancies on trustee board**

**(2)** In the case of a vacancy or vacancies occurring in the membership of the trustee board at any time the persons in attendance at the annual meeting of the Dalmeny Home for the Aged may fill any or all of such vacancies unless the bylaws or regulations otherwise provide.

1950, c.107, s.7.

**Attorneys**

**8** The corporation may appoint one or more attorneys for the transaction of its business.

1950, c.107, s.8.

**Use of revenues**

**9** The revenues, issues and profits of all property held by the corporation shall be applied to the maintenance and conduct of its institutions, to the construction and repair of buildings and the acquisition or property requisite for its purposes, to the furtherance of its objects and the promotion of charity and benevolence.

1950, c.107, s.9.

**Liability of members for debts**

**10** No member or officer of the corporation shall be personally liable for the debts thereof.

1950, c.107, s.10.

**Returns**

**11** The corporation shall at all times when called upon to do so by the Lieutenant Governor in Council render an account of its property and affairs.

1950, c.107, s.11.

**Exemption from taxation**

**12** The real and personal property of Dalmeny Home for the Aged and the land on which it is situated, namely, Part of the North West Quarter (NW¼) of Section Eleven (11), in Township Thirty-nine (39), in Range Six (6), West of the Third Meridian in the Province of Saskatchewan, and located in the Village of Dalmeny, in the said province, shall, while used for the purposes of the corporation, be exempt from all taxes, rates, levies and assessments of every nature and kind which the Village of Dalmeny had or has power to impose on, from and after the first day of January, 1949.

1950, c.107, s.12.