

# *An Act to incorporate St. Paul Lutheran Home of Melville*

*being a Private Act*

Chapter 102 of the *Statutes of Saskatchewan, 1967*  
(effective April 1, 1967).

**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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1967

**CHAPTER 102**

An Act to incorporate St. Paul Lutheran Home of Melville

(Assented to April 1, 1967)

**Preamble**

WHEREAS the persons named hereafter, being the persons presently charged with the care and operation of the St. Paul Lutheran Home of Melville, Saskatchewan, have presented a petition praying for the incorporation of themselves and such other persons as may become members of the corporation, as a body politic and corporate having for its objects the care of the aged, ill and infirm as hereinafter set forth; and

Whereas it is expedient to grant the prayer of the said Petition:

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

**Incorporation**

1 Albert Reitenbach, Insurance Underwriter, Yorkton, Saskatchewan, Ivar Norman Moen, Lutheran Pastor, Melville, Saskatchewan, George Jacob Herman, Retired Farmer, Yorkton, Saskatchewan, Henry Dietz (Sr.), Retired Farmer, Melville, Saskatchewan, Hans Terence Nervick, Farmer, Atwater, Saskatchewan, Reinhold Propp, Lutheran Pastor, Neudorf, Saskatchewan, and Emil Krause, Lutheran Pastor, Lemberg, Saskatchewan, and such other persons as are now or may hereafter become, under the provisions of this Act, or of the by-laws hereinafter referred to, members of the hereinafter mentioned corporation, shall be and are hereby declared to be a body politic and corporate in deed and in name by the name of St. Paul Lutheran Home of Melville (herein also referred to as "the corporation"), for the purposes and objects hereinafter set out.

1967, c.102, s.1.

**Objects**

2 The objects of the corporation are the care for the aged, the ill and infirm, through charitable and benevolent activities, including the operation of hospitals, homes, missions, schools of nursing, sanitarium and dispensaries.

1967, c.102, s.2.

**Seal**

3 The corporation shall have perpetual succession and a common seal, and may at all times hereafter contract and be contracted with, sue and be sued, implead and be impleaded in any matter whatsoever in all courts and places whatsoever in the Province of Saskatchewan.

1967, c.102, s.3.

**Head office**

4 The head office of the corporation shall be at the City of Melville, in the Province of Saskatchewan, or at such other place in the province as may from time to time be determined by the bylaws of the corporation.

1967, c.102, s.4.

**Power**

5 The corporation has power from time to time and at all times hereafter to acquire by gift, devise, bequest, transfer, purchase or otherwise for the benefit of the corporation any land or real or personal estate and the corporation may from time to time dispose of the same or any part thereof by sale, transfer or mortgage, lease, exchange or otherwise, and with the proceeds therefrom may acquire other lands, tenements, hereditaments and other property, real or personal, or invest the same in any security whatsoever for the use of benefits of the corporation.

1967, c.102, s.5.

**Additional powers**

6 The corporation has power to erect, construct, equip and maintain buildings and other erections for the proper carrying on of its educational and other charitable works and to do all other matters and things necessary for the carrying out of the objects that the corporation may become engaged in or occupied with.

1967, c.102, s.6.

**Use of revenue**

7 The rents, revenues and profits of all property, real or personal, held by the corporation and the assets and property of the corporation shall be appropriated and applied to the maintenance of the institutions carried on by the corporation, and the construction and maintenance of buildings and the acquisition of property, real or personal, requisite for the advancement of charity and benevolence and for the furtherance of any and all the objects and works in which the corporation may engage or for such other purposes as from time to time may seem expedient to the directors.

1967, c.102, s.7.

**Execution of instruments**

8 All instruments relating to real property shall be executed under seal of the corporation attested as provided by the rules and regulations of the corporation.

1967, c.102, s.8.

**Borrowing and investing funds**

9 The corporation in addition to all other powers has power:

- (a) to borrow or raise or secure the payment of money by negotiable instruments and by the issue of debentures or debenture stock, bonds, mortgages or obligations charged upon the property of the corporation, and to extend the period of payment of the same, and to purchase, redeem or pay off any such securities in whole or in part;

(b) to invest its funds, or any portion thereof, either directly in the name of the corporation, or indirectly in the name of trustees, in the purchase of such securities as it may deem advisable, and also may lend its funds or any portion thereof on any such securities;

(c) to ensure or give guarantee for payment of any loan, mortgage, bond or debenture issued, obligations or securities made or issued by the corporation situated within the Province of Saskatchewan; and

(d) to mortgage or charge all or any part of the property of the corporation either for the payment of security for a debt or otherwise.

1967, c.102, s.9.

#### **Bylaws**

**10** The corporation may make by-laws, rules, orders and regulations for the government and proper administration of the property, affairs and interest of the said corporation, and to repeal and amend the same from time to time, including the enforcement of discipline and the admission and retirement of members, and the appointment, disposition and removal of any persons as members of the corporation, or bearing office therein, and generally for the internal government of affairs of the said corporation.

1967, c.102, s.10.

#### **Officers**

**11** Unless otherwise directed by by-laws, the incorporators mentioned herein are the directors and officers of the said corporation.

1967, c.102, s.11.

#### **Vesting of title and assumption of liabilities**

**12(1)** On the coming into force of this Act, all the lands, estates, property, real, personal or mixed, effects, rights, credits, choses in action and causes of action of every description belonging to or standing in the name of or existing in St. Paul Lutheran Home are, without fee or charge by the Registrar of the Land Registration District in which the said property lies, transferred to and vested in the corporation without further act, conveyance or other deed to and for the use and benefit absolutely of the corporation, its successors and assigns for all estate, right, title interest, claim and demand which the corporation has on coming into force of this Act or thereafter becomes or may become entitled to; and the corporation may exercise all the powers, rights and privileges over for and in respect of them or any of them that the corporation has or had or could or might have exercised.

(2) The corporation shall assume and it is liable for all of the debts, liabilities and charges of every kind and description existing against St. Paul Lutheran Home of Melville as at the date of the coming into force of this Act.

(3) Should the corporation by means of other than legal dissolution cease to exist or its property be abandoned, title to its land and other assets, real and personal, shall pass to The Evangelical Lutheran Church of Canada.

(4) On the coming into force of this Act, the present corporation known as St. Paul Lutheran Home incorporated under *The Societies Act* shall cease to exist by virtue of this Act.

1967, c.102, s.12.

**Accounting**

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

1967, c.102, s.13.