

An Act to Incorporate Moose Jaw College

being a Private Act

Chapter 101 of the *Statutes of Saskatchewan, 1918-19*
(effective February 20, 1919).

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	9	Investments
2	Powers	10	May acquire pledged property
3	Property vested in corporation	11	Application of revenues
4	Corporation under supervision of Synod of Saskatchewan	12	Inspection
5	Board of governors	13	Tax exemption
6	Realty	14	Confirmation of mortgages and hypothecations
7	Same	15	Synod may transfer authority to General Assembly
8	Borrowing powers	16	Coming into force

1918-19
CHAPTER 101

An Act to incorporate Moose Jaw College

(Assented to December 20, 1918)

Preamble

WHEREAS Trustees and a Board of Governors appointed by the Synod of Saskatchewan of the Presbyterian Church in Canada have established an educational institution at Moose Jaw under the name of the Moose Jaw College, conducted under the supervision of the said Synod of Saskatchewan where, besides the regular secular subjects, Biblical and religious instruction should be given the students therein, and have petitioned for incorporation; 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 The Hon. Wellington B. Willoughby, K.C., the Hon. George E. Taylor, the Hon. A. Gray Farrell, the Hon. William R. Motherwell, the Hon. William C. Sutherland, the Hon. Robert M. Mitchell, M.D., James A. Allan, K.C., James Balfour, K.C., Rev. Murdock A. MacKinnon, D.D., Rev. Peter Strang, D.D., Rev. Archibald C. Reeves, B.A., Rev. William G. Wilson, M.A., Rev. John G. McKechnie, B.A., Rev. Colin G. Young, B.A., Rev. Alexander MacGregor, B.A., Rev. Angus A. Graham, M.A., B.D., Arthur R. Turnbull, M.D., Norman F. Black, D.Paed., Charles James Milligan, M.A., James A. Simington, Malcolm J. MacLeod, William F. McBean, Thomas Miller, John D. Fraser, Fred C. Tate, John M. Paul, Alfred W. Maybery, Hugh Thomson and their successors appointed as hereinafter provided shall be and are hereby constituted a body corporate and politic under the name of the Moose Jaw College.

1918-19, c.101, s.1.

Powers

2 The said corporation shall have power to take over, acquire, maintain and carry on the said educational work and institutions heretofore established and carried on by and under the names of "The Saskatchewan College, Moose Jaw," and the "Moose Jaw College" and to establish, erect and maintain colleges and other institutions of learning, and for the promotion of education and knowledge and to purchase, acquire or otherwise obtain real or personal property for the said purposes and dispose of the same in any way howsoever, and to construct buildings and works for the purpose thereof, and generally to do such other things as may be necessary, incidental, or conducive to the attainment of the above-named objects.

1918-19, c.101, s.2.

Property vested in corporation

3 All property, real and personal, belonging to the said Moose Jaw College, or held by any person or persons in trust therefor shall, subject always to the trusts affecting the same be vested in the said corporation.

1918-19, c.101, s.3.

Corporation under supervision of Synod of Saskatchewan

4 The said corporation shall be under the supervision of the Synod of Saskatchewan of the Presbyterian Church in Canada and the said synod may from time to time make ordinances, rules and regulations, not inconsistent with law, for the conduct of the affairs of the said corporation and its government and administration, and for the teaching and training of its students, and from time to time alter, amend or repeal the same and appoint such person or persons from time to time and for such times and terms as to the said synod may seem advisable to the board of governors of the said college, provided that there shall be no religious or denominational test required of or appointed for the admission of pupils to the said college, and no interference with the relation of any pupil to the church with which his parents or guardians desire him to be connected.

1918-19, c.101, s.4.

Board of governors

5 The affairs of the said college shall be conducted and managed by the board of governors appointed as provided in section 4 of this Act. The said persons mentioned in section 1 of this Act shall be the first board of governors to remain in office until their successors are appointed by the said synod; and until otherwise provided by the said synod, and subject to any ordinances, rules, or regulations made by the said synod, the said board of governors may from time to time manage, conduct, and carry on the affairs and business of the said corporation and make such bylaws, rules and regulations therefor as may to the said board of governors from time to time seem meet and adviseable therefor. Until otherwise determined by the synod or the board, a quorum of the board shall consist of eight members.

1918-19, c.101, s.5.

Realty

6 The corporation may from time to time, and at all times hereafter, purchase, lease, acquire, hold, possess and enjoy, and may have, take and receive for them and their successors, lands, tenements, hereditaments, and all real and personal property and estate necessary or desirable for the purposes of the said institution, such as college buildings and offices, residences of professors, tutors, students and officers, with farm or farms, gardens, pleasure grounds, athletic grounds, and all and any other ground used for college purposes pertaining thereto; and the same may sell, let on lease or on hire, alienate and dispose of, and others in their stead purchase, lease, acquire and hold for the uses and purposes aforesaid.

1918-19, c.101, s.6.

Same

7 The said corporation, in its own name, shall have power and authority to take, accept, or receive to the use and for the purpose of the said corporation, any and all lands, tenements, hereditaments, and all and any property movable or immovable, stocks, shares, lands, debentures, money or securities for the payment of money by purchase, gift, devise or bequest, or otherwise howsoever, and shall have and hold the same and every of them and every part thereof, to and for the use and purposes of the corporation, provided however, that the said corporation shall not acquire or hold as purchasers any land except for the actual use and occupation of the corporation, or for the purposes of the corporation exceeding ten thousand dollars, and that lands, tenements or hereditaments acquired by gift, devise or bequest and not required for the actual use and occupation of the corporation, or for the purposes of the corporation the annual value of which together with the other land of the corporation exceeds ten thousand dollars, 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 case of failure to dispose of the same within such seven years such land shall revert to the Crown in the right of the province.

1918-19, c.101, s.7.

Borrowing powers

8 It shall be lawful for the said corporation and it is hereby empowered to draw, accept, and make and to indorse, discount and negotiate bills of exchange and promissory notes, and other negotiable instruments, to borrow or to raise money by the issue of bonds, mortgages, or any other securities founded and based upon all or any of the property and rights of the corporation, or without any such security and upon such terms as to priority or to otherwise as the said corporation shall think fit, to sell, let on lease or on hire, exchange, mortgage, hypothecate, or otherwise dispose of or pledge any lands, tenements, hereditaments, or other real or personal property, stocks, shares, lands, debentures, or securities of which it may at the time of the passing of this Act or at any future time be or become seized, possessed, or otherwise interested in by virtue of this Act or otherwise howsoever, and make and execute under its common seal or otherwise according to law all proper deeds and instruments and do all other acts, matters or things requisite or necessary to effectuate and accomplish all and singular the premises.

1918-19, c.101, s.8.

Investments

9 The said corporation may invest money belonging to it, not immediately required, in any security in which trustees are by law, and from time to time, permitted to invest and may retain any investment, bequest, devise or gift in the form in which the same may come into its hands so long as it shall deem proper and reinvest the proceeds of the same, or any part thereof, in similar securities and hold any property real or personal subject to and upon any trusts, terms or conditions imposed in the acquisition thereof.

1918-19, c.101, s.9.

May acquire pledged property

10 The said corporation shall be capable of taking, holding and acquiring all such lands and tenements, real and personal estate, as may or shall have been *bona fide* mortgaged, hypothecated, or pledged to the said corporation by way of security or conveyed to it in satisfaction of debts previously contracted or purchased at judicial sales upon levy for such indebtedness or otherwise purchased for the purpose of avoiding a loss to the college in respect thereof or of the owner thereof.

1918-19, c.101, s.10.

Application of revenues

11 All the property of every kind and nature which now belongs to and is vested in any trustee or trustees for the said college and which shall at any time belong to and be vested in the said corporation as well as the revenue, issues, rents and profits thereof shall at all times be solely and exclusively appropriated and applied to the purposes of said corporation and to no other object, institution, or establishment whatsoever.

1918-19, c.101, s.11.

Inspection

12 The educational institutions of the said college shall at all times be open for inspection to the inspectors of public and high schools and collegiate institutes of the Province of Saskatchewan, and to any other government inspectors.

1918-19, c.101, s.12.

Tax exemption

13 All property real and personal of the said corporation now or hereafter acquired shall, while used for college purposes, be exempt from all taxes, rates, levies and assessments of every nature and kind save and except special assessments under part XII of *The City Act*.

1918-19, c.101, s.13.

Confirmation of mortgages and hypothecations

14 The mortgage dated the thirteenth day of February, 1914, made by A. Gray Farrell and James A. Simington, as trustees for the said Synod of Saskatchewan upon the property of the college, and the pledge and hypothecation of securities and subscriptions dated the thirteenth day of February, 1914, to the Mutual Life Assurance Company of Canada, and any other mortgage, pledge, charge or hypothecation of subscriptions or securities made by the said trustees for the said college are hereby validated and confirmed and such mortgages, pledges, hypothecations or disposition of the property of the said college, subscriptions or securities and any contract, bargain, agreement or undertaking, express or implied, made or given by the said trustees or board of governors on behalf of the said "Saskatchewan College, Moose Jaw," or the same "Moose Jaw College," are hereby declared to be good and valid and binding upon the said college and the corporation, and the said corporation shall indemnify and save harmless any guarantor of the indebtedness or liability or any part thereof of the said "The Saskatchewan College," or the said "Moose Jaw College," and any person or persons who may have become surety for them or either of them in any manner howsoever.

1918-19, c.101, s.14.

Synod may transfer authority to General Assembly

15 The said synod may, at any time, transfer its rights and jurisdiction over said college to the General Assembly of the Presbyterian Church in Canada or to any new synod or synods formed by a division of the present Synod of Saskatchewan of the Presbyterian Church in Canada when the said general assembly or the said new synod or synods shall exercise all the duties, rights and privileges of and belonging to the said synod in its room and stead.

1918-19, c.101, s.15.

Coming into force

16 This Act shall come into force and take effect from and after two months after the passing thereof.

1918-19, c.101, s.16.

