

***An Act to incorporate
The Congregation of
the Sisters of
St. Elizabeth of the
Third Order Regular
of St. Francis of Assisi***

being a Private Act

Chapter 82 of the *Statutes of Saskatchewan, 1961*
(effective March 30, 1961) as amended by the *Statutes of
Saskatchewan, 2011, c.02*.

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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1961

CHAPTER 82

An Act to incorporate The Congregation of the Sisters of St. Elizabeth of the Third Order Regular of St. Francis of Assisi

(Assented to March 30, 1961)

Preamble

WHEREAS there has existed for some time in the Province of Saskatchewan a charitable Order under the name of the Sisters of St. Elizabeth of the Third Order Regular of St. Francis of Assisi having for its objects the establishment, management and maintenance of congregations of ladies, hospitals, missions, orphanages, working and agricultural places, housekeeping schools, industrial schools, institutions for disabled and chronically ill persons and boarding houses for aged persons, and the education and moral training of pupils in convents and schools, the instruction of prisoners, the counselling and visiting of sick and needy persons, and the teaching and training of nurses and teachers, and also other works of charity and mercy; and

Whereas a petition has been presented praying for the incorporation of the members of the said Order under the name of The Congregation of the Sisters of St. Elizabeth of the Third Order Regular of St. Francis of Assisi, and it is expedient that the prayer of the said petition be granted:

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

Incorporation

1 Mother M. Perpetua nee Mary Haag, Mother M. Clementina nee Rosa Possenig, Sister M. Hildegard nee Wilhelmina Koenig, Sister M. Loretta nee Bertha Bornowsky and Mother M. Florianne nee Mary Kohlman all of the town of Humboldt, in the Province of Saskatchewan, and such other persons as now are or may hereafter become members of the said Order and who may be admitted as members of the corporation in accordance with the bylaws of the corporation from time to time in force, shall be and are hereby constituted and declared to be a body corporate and politic under the name of The Congregation of the Sisters of St. Elizabeth of the Third Order Regular of St. Francis of Assisi, for the establishment, management and maintenance of congregations of ladies, hospitals, missions, orphanages, working and agricultural places, housekeeping schools, industrial schools, institutions for disabled and chronically ill persons and boarding houses for aged persons, and the education and moral training of pupils in convents and schools, the instruction of prisoners, the counselling and visiting of sick and needy persons and the teaching and training of nurses and teachers, and also other works of charity and mercy and for the continuation of the work presently carried on by the members of the said Order.

Powers

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

Acquisition of property

(a) to acquire by gift, devise, purchase, exchange, lease or otherwise real or personal property of any and every nature and kind whatsoever, and to possess, hold and enjoy the same as owner; provided that the said 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 ten thousand dollars, and that lands, tenements or hereditaments acquired by gift, devise or bequest and not required 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 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, mortgage, lease, exchange or otherwise deal with or dispose of its real and personal property or any portion of either and with the proceeds thereof to acquire other real and personal property to such extent as may be deemed advisable or desirable, and to make and execute all necessary and proper conveyances, transfers or other instruments for carrying the same into effect;

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;

Acquisition of pledged property

(d) to acquire, take possession of and hold as the corporation may deem proper all such property (real, personal or mixed) as may at any time be mortgaged, hypothecated or pledged to the corporation by way of security or conveyed to it in satisfaction of obligations or debts due or owing to it from any person, firm or corporation; provided that any real estate acquired in satisfaction of any debts due to itself and not required for the actual use and occupation of the corporation or a branch thereof or for the purposes of the corporation, the annual value of which together with the other lands of the corporation exceeds ten thousand dollars, shall be sold by the corporation within seven years after such acquisition or within such further period to which the terms shall be extended by order of the Lieutenant Governor in Council, otherwise such real estate shall be forfeited to the Crown in the right of the province;

Borrowing

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

Buildings, etc.

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

Fees

(g) to fix, charge and collect fees for any services rendered by the corporation and for the board and lodging of students and patients;

Affiliation

(h) to make and enter into treaties, contracts and arrangements for affiliating with the said corporation any other corporation having similar objects;

Corporate seal

(i) to adopt a corporate seal and to change it at will.

1961, c.82, s.2.

Use of revenues

3 The revenues, issues and profits of all property held by the corporation shall be applied to the maintenance of its members and of the institutions carried on by it, to the construction and repair of buildings and the acquisition of property requisite for its purposes and to the promotion of works of charity and benevolence.

1961, c.82, s.3.

Head office

4 The head office of the corporation shall be at Humboldt in the Province of Saskatchewan, or at such other place as may be determined by bylaw.

1961, c.82, s.4.

Branches

5 The corporation may from time to time establish and maintain branches and in connection therewith may appoint subordinate officers with such powers and tenure of office as may be deemed advisable.

1961, c.82, s.5.

Bylaws, rules, etc.

6 It shall be lawful for the corporation to make bylaws, rules, orders and regulations for the government and proper administration of its property, affairs and interests and to repeal and amend the same from time to time, including the determination, election or appointment of officers, the enforcement of discipline and the admission and retirement of members, the appointment, deposition or removal of any person as member of the corporation or bearing office therein and generally for the internal government of the affairs of the corporation.

1961, c.82, s.6.

Officers

7 Until otherwise directed by the bylaws the incorporators named herein shall be the officers of the corporation.

1961, c.82, s.7.

c. 82 CONGREGATION OF THE SISTERS OF ST. ELIZABETH**Existing rules**

8 The existing rules and regulations of the said Order shall *mutatis mutandis* be rules and regulations of the corporation until changed by bylaw.

1961, c.82, s.8.

Attorneys

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

1961, c.82, s.9.

Execution of documents

10 All transfers, deeds of sale, leases, mortgages and other documents shall be executed with the seal of the corporation, attested by the signatures or signature of its officers, officer or directors in accordance with the provisions of the bylaws of the corporation in that behalf.

1961, c.82, s.10.

Industries

11 The corporation may operate any industry that may help to maintain its institutions and may bargain and sell the products of the same provided it conforms to the laws of the province.

1961, c.82, s.11.

Transfer of real estate

12 Upon presentation to the Registrar of the Humboldt Land Registration District of any transfer or other instrument whereby any land or interest in land situated in the said land registration district is being transferred from The Sisters of Saint Elizabeth Hospital, being a corporation incorporated by chapter 47 of the *Statutes of Saskatchewan, 1915*, to the corporation hereby created, the said registrar shall without fee or charge therefor do all things necessary to vest such land or interest therein in the name of the corporation, subject to all such encumbrances or charges as may be registered against the title thereto.

1961, c.82, s.12.

Returns

13 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.

1961, c.82, s.12.