

An Act to Incorporate The Lutheran College and Seminary

being a Private Act

Chapter 60 of the *Statutes of Saskatchewan, 1924*
(effective March 25, 1924) as amended by the *Statutes of
Saskatchewan, 1927, c.77.*

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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1924

CHAPTER 60

An Act to incorporate The Lutheran College and Seminary

(Assented to March 25, 1924)

Preamble

WHEREAS Juergen Goos, Theodore Hempel, Kaspar G. Morgenroth and Henry W. Harms have presented a petition praying for the incorporation of The Lutheran College and Seminary, an institution having as its objects the maintaining and conducting of a residential and day college and seminary for the purpose of giving tuition in secondary education subjects and in theology and in preparatory courses for each of them; and

Whereas said institution is intended to continue to carry on for and on behalf of The Evangelical Lutheran Synod of Manitoba and other Provinces the work heretofore done by said Synod in its College at Saskatoon, in Saskatchewan; 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 Juergen Goos, Theodore Hempel, Kaspar G. Morgenroth and Henry W. Harms and such others as shall hereafter from time to time become under the provisions of this Act members of the said corporation, shall be and are hereby constituted a body corporate and politic under the name of "The Lutheran College and Seminary" for the purposes and objects aforesaid.

1924, c. 60, s. 1.

Acquisition and disposal of real property

2(1) The corporation in its corporate name may, save as hereinafter provided, from time to time and at all times hereafter purchase, lease, acquire, hold, own, possess and enjoy, and may have, take, accept and receive for itself and its successors lands, tenements and hereditaments and real and immoveable property and estate within Saskatchewan necessary for the actual use and occupation of the corporation in carrying out said purposes and objects and inclusive of college and seminary buildings and offices and grounds and residences of members of teaching staff and of officers and of students, and the same may lease, let on lease or on hire, alienate and dispose of, and others in their stead by exchange or purchase or lease acquire, hold, own, possess and enjoy for the uses and purposes and objects aforesaid.

Acquisition of property generally

(2) The corporation in its corporate name may, save as hereinafter provided, from time to time and at all times hereafter purchase, lease, acquire, hold, own, possess and enjoy, and may have, take, accept and receive for itself and its successors any and all property, moveable or immoveable, stocks, shares, debentures, money or security for the payment of money, whether in exchange for valuable consideration or acquired by gift, devise or bequest or otherwise howsoever.

1924, c. 60, s. 2.

Restriction on land-holding powers

3 Notwithstanding anything in this Act provided the said corporation shall not acquire or hold as purchaser any lands except for the actual use and occupation of the corporation or for the purposes of the corporation. All 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 lands of the corporation exceeds ten thousand dollars (\$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 case of failure to dispose of the same within seven years, or within any further period to which the term shall be extended by order of the Lieutenant Governor in Council, such land shall be forfeited to the Crown in the right of the Province.

1924, c. 60, s. 3.

Powers

4 The corporation shall have full power and authority:

To mortgage

(a) to mortgage its real and personal property, or any portion of either and to make and execute all necessary and proper conveyances and mortgages or other instruments for carrying the same into effect;

To convey

(b) to make and execute all necessary and proper conveyances, transfers, leases or other instruments required for giving effect to any sale or assignment or letting of any of the corporation's property, whether real or personal;

To take security

(c) 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 the corporation shall sell any real estate acquired in satisfaction of any debt due to itself within seven years after such acquisition unless such term is extended by order of the Lieutenant Governor in Council, otherwise such real estate shall revert to the Crown in the right of the province;

To borrow

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

To invest

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

To be a party to negotiable securities

(f) to draw, accept, make, indorse and negotiate bills of exchange and promissory notes and other negotiable securities as and when required for the purposes of the corporation;

To affiliate

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

To collect fees

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

To acquire buildings

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

To grant degrees

(j) to grant and confer degrees in theology.

1924, c. 60, s. 4.

Board of trustees

5 The said corporation shall be under the management and administration of a board of trustees called "The Trustees of The Lutheran College and Seminary". Three members of such board shall constitute a quorum. All questions shall be decided by the majority of members at board meeting. The chairman shall not vote except in the case when a casting vote is necessary.

1924, c. 60, s. 5.

First board

6 Lorenz Blaser, Thomas Hartig, Gotthard L. Maron, Henry Becker, Karl W. Sterzer and Ferdinand Ortlieb shall be the first board of trustees under this Act and shall hold office until their successors are appointed as hereinafter provided.

1924, c. 60, s. 6.

Bylaws and regulations

7 The board of trustees shall have full power from time to time to adopt or make and alter or vary bylaws and regulations touching and concerning the time and place of holding of the meetings, notices thereof, the procedure thereat, and the good ordering and government of the said college and seminary, and such bylaws and regulations when reduced to writing and after the common seal of the corporation has been affixed thereto shall be binding upon all persons members thereof.

1924, c. 60, s. 7.

Appointment and removal of staff

8 The said board of trustees shall also have full power subject to and in accordance with the bylaws and regulations of said corporation in effect from time to time to appoint and to remove the principal or other head, professors, tutors, masters and all officers, agents or servants of the college and seminary.

1924, c. 60, s. 8.

Executive committee

9 The said board of trustees shall have power to appoint an executive committee, of which the principal of the college and seminary shall be a member, to which it may assign such business as it deems necessary or expedient.

1924, c. 60, s. 9.

Membership in board of trustees and in corporation

10 The said board of trustees, save as provided for by section 6 hereof, shall be appointed or elected by said The Evangelical Lutheran Synod of Manitoba and other Provinces or the successors of said synod. The conditions of and appointment to and removal from membership in the corporation shall also be prescribed by said synod.

1924, c. 60, s. 10.

Exemption from taxation

11 Lots Nos. One (1) to Thirteen (13) each inclusive in Block No. One (1) according to a plan of record in the Land Titles Office for the Saskatoon Land Registration District as Plan No. G 453, together with Lots Nos. Twenty-seven (27) and Twenty-eight (28) each in Block No. Two (2) according to a plan of record in said Land Titles Office as Plan No. G 127, together with Lots Nos. Six (6), Seven (7), Nine (9) and Seventeen (17) each in Block No. Three A (3a) according to a plan of record in said Land Titles Office as Plan No. (E.R.1) G 3845, all in the City of Saskatoon, in the Province of Saskatchewan, and that certain parcel or tract of land and premises being part of the north-east quarter of section twenty-two (22) in township thirty-six (36) range five (5) west of the third meridian, in the Province of Saskatchewan, Dominion of Canada, which may be more particularly described as follows: Commencing at a point in the north boundary of the said north-east quarter of section twenty-two (22) at a distance of one hundred and ninety-one and eight-tenths (191 and 8/10) feet more or less, easterly, from the north-west corner thereof, said point of commencement being the point of intersection of the east boundary of Jackson Avenue and the south boundary of Eighth Street as shown upon a plan of record in the Land Titles Office for the Saskatoon Land Registration District as Number G. 453; thence southerly along the eastern boundary of the said Jackson Avenue a distance of five hundred and seventy-five (575) feet more or less to the intersection of the east boundary of the said Jackson Avenue and the south boundary of Seventh Street and the production thereof a distance of four hundred and fifty-six (456) feet more or less to the west boundary of a lane as shown upon a plan of record in the Land Titles Office for the Saskatoon Land Registration District as Number G. 127; thence north along the west boundary of the said lane to its intersection with the south boundary of Eighth Street a distance of our hundred and fifty-four (454) feet more or less to the point of commencement; said above described parcel of land

containing by admeasurement an area of six (6) acres be the same more or less; and that certain parcels or tract of land and premises which constituted all that portion of Jackson Avenue lying between Seventh and Eighth Streets in the City of Saskatoon, in the Province of Saskatchewan, according to a plan of record in the Land Titles Office for the Saskatoon Land Registration District as No. G. 453 prior to the closing of that portion of said Avenue.

1924, c. 60, s. 11; 1927, c. 77, s.1.

