



CHAP. 38

An Act to enable the Trustees of the Victoria Fire Department Charitable Association to distribute the assets of the said Association among the members thereof.

[7th April, 1887.]

WHEREAS a Petition has been presented by William Lohse, Joseph Sears, Frank Sylvester, Joseph Wriglesworth, and C. J. Phillips, as Trustees of the Victoria Fire Department Charitable Association, for an Act to empower them to distribute the assets of the said Association among the members thereof, in accordance with a scheme proposed and adopted at a meeting of the said Association held on the 11th day of March, 1886:

And whereas it is expedient to grant the prayer of the said Petition so far as the same prays for power to distribute the said assets among the members thereof:

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. The said William Lohse, Joseph Sears, Frank Sylvester, Joseph Wriglesworth, and C. J. Phillips (hereinafter called the Trustees), are hereby authorized and empowered to convert all the assets of the said association into money, and after payment of all the costs and expenses mentioned in paragraph 3 of this Act, to distribute the same, and the ready money on hand or in the bank, among the members of the Victoria Fire Department, who were members upon the roll of one of the Companies of the said Fire Department on the 31st December, 1885, and the widows of the deceased members, as hereinafter mentioned, in manner following, that is to say:

Power to trustees to convert all assets into money and distribute same among the members.

2. In distributing the said assets the following method shall be adopted:—The number of months that each person entitled to participate in the fund has served as a member of the Association shall be ascertained by the Trustees, and shall be added together, and the total amount of funds shall be divided by the sum of such number of months,

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and each member shall be entitled to receive for each month of his service an amount equal to the product arrived at by such division. In making such division the Trustees shall take into account the number of months served by every person who at the time of his decease was a member of the department, and whose widow is now living, and shall establish her claim, to the satisfaction of the Trustees, within three calendar months from the passage of this Act; and each such widow shall be entitled to receive a share proportionate to her husband's term of service, subject to the provisions of this section.

Expense of this Act
and costs of lawsuit
to be deducted be-
fore distribution.

3. The Trustees before making any distribution shall set aside and pay and discharge all expenses incurred in the passage of this Act, and in carrying out the terms of the same, and the costs and charges to be taxed as between party and party of the suit now pending in the Supreme Court of British Columbia in relation to the property and funds of the said association, and wherein Louis Marks, Henry Lewis Salmon, Thomas Deasy, and Michael Conlin are plaintiffs, and the said William Lohse, Joseph Sears, F. Sylvester, Joseph Wriglesworth, and C. J. Phillips are defendants; and upon the passage of this Act all proceedings in the said suit shall be forthwith stayed, and the injunction awarded therein shall be discharged.

Time within which
assets to be con-
verted.

4. The said Trustees shall convert the said assets, and distribute the same, as hereinbefore mentioned, within the space of six months from the time when this Act comes into operation, or within such further time as the Lieutenant-Governor in Council may from time to time appoint.

Trustees after dis-
tribution to be
deemed discharged.

5. When the said Trustees shall have completed the distribution of the said assets in the manner hereinbefore mentioned, they shall be deemed to have fully discharged the trust imposed upon them by the by-laws of the said association, or by this Act, and shall be discharged accordingly.

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