BRITISH COLUMBIA.

ANNO TRICESIMO QUARTO

VICTORIÆ REGINÆ.

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No. 18.

An Act to Incorporate Charitable, Philanthropic, and Provident Associations.

[28*th March*, 1871.

Preamble.

WHEREAS it is expedient that the establishment and maintenance of Charitable, Philanthropic, and Provident Associations should be encouraged in this Community;

Be it therefore enacted by the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, as follows:

Any number of persons may unite and form Charitable Associations;

I. Any number of persons may unite themselves into a Society for making provision, by means of contributions, subscriptions, donations, or otherwise, against sickness, unavoidable misfortune, or death, and for relieving the Widows and Orphan Children of Members deceased.

and establish branches.

II. The Members and Officers of such Society may from time to time establish and maintain any number of branches thereof, to promote the objects herein set forth.

To have a Seal, &c.

May sue and be sued, &c.

III. Each Society shall have a Common Seal, and may change and alter the same at their will and pleasure, and by whatever name, designation, number, or description the Society is known, shall have continued succession; and may contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, in all Courts and places, and in all actions, suits, complaints, matters, and causes whatsoever.

May elect Officers, and make By-Laws;

to be approved by Registrar General.

IV. The Members of such Societies respectively may nominate, choose, and appoint proper persons as Trustees, Treasurers, Secretaries, or other Officers, for conducting the business, discipline, and management of the Society, and may meet together from time to time to make, alter, rescind, or frame By-Laws, Rules, or Regulations, for the necessary government of and for conducting the business of the Society or any branches thereof, to be approved and certified by the Registrar General of Titles as hereinafter mentioned.

By-Laws, &c., not to be in violation of existing Laws, &c.

V. Such By-Laws, Rules, and Regulations, shall not contain anything in violation of the Laws, Statutes, or Customs of this Colony, or be directed to the furtherance of any political or seditious object whatsoever.

Two transcripts of By-Laws, &c., to be lodged in Registrar General's Office.

Two transcripts of the By-Laws, Rules, and Regulations so to be from time to time framed as aforesaid, shall be lodged in the Office of the Registrar General of Titles.

If approved, one copy to be filed, and the other certified and returned to Secretary of Association.

If the Registrar General shall approve of such By-Laws, Rules, and Regulations, one transcript shall be filed in the Office of the Registrar General, and the other transcript shall be certified by the Registrar General as having been approved by him, and returned to the Secretary or other Officer of the Association having charge of the documents belonging to the Association. A fee

Fee to Registrar General.

fee of Fifteen Dollars shall be paid to the Registrar General, for his own use, for revising such Rules and granting such Certificate as aforesaid.

Societies may require security from their Officers.

VI. Such Societies may require the Officers, Secretaries, Treasurers, and Trustees thereof, to give security for all such sums of money or other property of the Society, as may from time to time be placed in their hands or under their control, in trust for and on behalf of the objects of the Society; and all such securities, being in writing, shall be deemed good security, and admissible as evidence in any of Her Majesty's Courts of Civil and Criminal Jurisdiction.

May acquire personal and real property to a certain extent, and alienate same.

VII. The Members of each of such Societies or Bodies in its locality, in the name of the Society, or in the name of the Presiding or other Officer or Officers thereof, may acquire and take by purchase, donation, devise, or otherwise, and hold for the use of the Members of the Society, and according to the Rules and Regulations thereof, all kinds of personal and also real property in this Colony, not exceeding Five Acres; and may sell and alienate the same, and may purchase and acquire in the stead and place thereof, any other real estate not exceeding the quantity above mentioned.

A larger quantity of land may be held on Licence from the Governor in Council.

It shall be lawful for each such Society to hold a larger quantity of land for any special purpose, provided a Licence from the Governor in Council is obtained; but such land shall be held upon such terms, and for such purpose only, as shall be expressed in such Licence.

May invest money on security of real estate.

VIII. Nothing in this Act contained shall prevent any such Societies from investing any moneys in their hands upon the security of Mortgages upon Real Estate. Provided, that in cases of foreclosures, the Real Estate of such Mortgages so foreclosed shall be immediately thereafter sold, and the proceeds thereof shall be applied to the general purposes of such Society.

On foreclosure of Mortgage, real estate to be sold.

Punishment of Members and Officers embezzling funds.

IX. If any Officer, Secretary, Treasurer, Trustee, or Member of any such Society, obtains undue possession of, misappropriates, embezzles, or withholds from the other Members, Officers, or other Persons entitled to demand and receive the same, the whole or any portion of the funds, moneys, or other property of the Society, and continues to withhold such property after due demand has been made for the restoration and payment of the same, by some one or more of the Members or Officers duly appointed by and on behalf of the Body or Society, every such offender shall be guilty of a misdemeanor, and being convicted thereof, shall be imprisoned for any term not exceeding Three Years, with or without hard labour, or suffer such other punishment by fine or imprisonment, or by both, as the Court may award.

What to be evidence.

X. The printed or written Rules of such Society in force for the time being so certified as aforesaid, and the appointment of any Officer, Secretary, Treasurer, Trustee, or enrolment of any Member, certified under the hand of the Presiding Officer for the time being, and the seal of the Society, and the Books, Minutes, and other Documents of the Society, relative to any portion of the matter then in question, may be received in evidence in any proceedings in any Court of Civil or Criminal Jurisdiction, against any of the parties mentioned in the last preceding Section charged with the offence therein stated.

Non-liability of Members.

XI. No Member of any such Society shall, in his individual capacity, be liable for any debt or liability of the Society.

Short Title.

XII. This Act may be cited as "The Charitable Associations Act, 1871."

Passed the Legislative Council the 24th day of March, A. D. 1871.

CHARLES GOOD, *Clerk of the Council.* PHILIP J. HANKIN, *Speaker.*

Assented to, in Her Majesty's name, this 28th day of March, 1871.

A. MUSGRAVE, *Governor.*

VICTORIA, B. C.:
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1871.