

tenure of office was during the pleasure of the Board, which had, therefore, the right to dispense with his services, without assigning any reason therefor.

The respondent applied for a pension; his application was considered by the committee of the defendant society; a majority of the committee recommended that he should receive a pension of \$1 a day during life; and the recommendation was approved by the Board of Police Commissioners. Rule 30 of the rules and regulations of the society does not deal with all allowances or pensions, but only with those claimed by members who have been dismissed or compelled to resign; and such a member is not entitled to any allowance or pension, unless, upon consideration of his case, the committee recommends it, and the Board approves.

The respondent, no doubt, had the right to have his case considered by the committee; and, if there had been no real consideration, he might have been entitled to the relief which the plaintiff got in *Lapointe v. L'Association de Bienfaisance et de Retraite de la Police de Montréal*, [1906] A.C. 535. There is a wide difference between the rule under consideration in that case and Rule 30 above referred to.

It was argued that rule 24 (b) gave an absolute right to the pension which the respondent claimed—the provision “it shall be optional with the members of the police force to retire at or after the end of 30 years’ service by giving 3 months’ notice in writing,” making it unnecessary that “the consent in writing of the Police Commissioners” should have been “first obtained to the resignation,” as provided by rule 24. As to this the Chief Justice said that, assuming that in such a case the consent of the Commissioners to the resignation was not required, there were at least two fatal objections to the respondent’s claim: one, that, when he ceased to be a member of the force, he had not served for 30 years; and the other, that he did not resign, but was dismissed.

*Appeal allowed with costs and action  
dismissed with costs.*