

property unless the amount of the costs to be recovered is more than forty dollars.

Cancellation of registration.

If the party in default to pay the costs or any other sum adjudged against him, is a person registered under this section, his registration shall be cancelled until he has paid the sum so adjudged.

Writ may be obtained from court.

5. In the case of a condemnation against a party or a witness, whether for refusal to obey the summons, or for refusal to answer or to produce a document, a copy, duly certified by the secretary-registrar, of the condemnation against such witness or such party, must be deposited at the Prothonotary's office of the Superior Court of the district in which the Board of Discipline sits, and on the deposit of such copy, together with a *praecipe*, the prothonotary is bound to issue against such person a writ of execution or of imprisonment, as the case may be, which shall be executed in the same manner as a writ issued by the Superior Court in a similar case.

Appeal to courts.

6. There shall be an appeal to the courts from any decision rendered by the Council of the Association, within fifteen days of the service of such decision.

The appeal shall suspend the effect of the decision of the Council."

Schedule A amended in English version.

**16.** The English version of Schedule A which follows article 5029 of the Revised Statutes, 1909, is amended by striking out the words : "(pure and crude)" after the words "Carbolic Acid" in the seventh line of such schedule.

## CHAP. 30

An Act to amend the Revised Statutes, 1909, and to consolidate the provisions relating to the establishment, by certain municipalities, of a compensation fund for the benefit of owners or possessors, for damage done to their sheep.

[Assented to 9th March, 1916]

**HIS MAJESTY**, with the consent and advice of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

R.S., 5956c to 5956e, replaced.

**1.** Section XXIIb, of chapter second of title eleventh of the Revised Statutes, 1909, (articles 5956c to 5956e) as enacted by the act 3 George V, chapter 41, section 1, is replaced by the following:

“ SECTION XXIIb.

“THE ESTABLISHMENT OF A COMPENSATION FUND FOR  
THE BENEFIT OF OWNERS OR POSSESSORS FOR  
DAMAGE DONE TO THEIR SHEEP.

“**5956c.** 1. The council of a local municipality must <sup>By-law to be</sup> pass a by-law to the effect hereinafter mentioned, if called <sup>passed.</sup> upon to do so by a petition signed by at least twenty-five of the rate-payers residing in the municipality.

The by-law shall be passed forthwith at the ordinary <sup>When to be</sup> meeting next following the receipt of the petition, or at <sup>passed.</sup> any other ordinary or special meeting, after the giving of the usual notice required by the law governing the municipality.

2. The by-law shall provide:

a. For the establishment of an annual compensation <sup>Provisions thereof.</sup> fund consisting of the proceeds of an annual tax of one <sup>Compensation fund.</sup> dollar imposed for each dog, and of four dollars for each bitch kept within the municipality. Upon the production of a certificate from a veterinary surgeon to the effect that a bitch has been spayed, an annual tax of one dollar only shall be exigible from its owner;

b. For the imposition of the above tax payable by the <sup>Dog tax.</sup> owner or possessor of any dog or bitch kept in the municipality;

c. To compel the owner or possessor of any dog or bitch <sup>Declaration of owner of dogs.</sup> to declare to the secretary-treasurer of the municipality the number of dogs or bitches under his care, under penalty of a fine of ten dollars recoverable by the municipality for the benefit of the compensation fund;

d. For the appointment of one or more competent <sup>Assessors.</sup> assessors, whose duty it shall be to examine, without delay, any sheep which may have been injured by dogs or bitches, and to fix the amount of the damage;

e. For the payment, out of the special fund so created, <sup>Payment out of compensation fund.</sup> of compensation equal to two-thirds of the damage done to sheep by dogs or bitches, according to the report of the assessors, provided that the claim of the owner or possessor be made within three months to be reckoned from the date when the damage was caused; nevertheless the council shall not allow compensation of more than fifteen dollars for any one sheep.

“**5926d.** If a sheep is killed or injured while wandering <sup>Sheep killed on public roads.</sup> on a public road, its owner shall not be entitled to any indemnity.

Rights of  
municipali-  
ties *re*  
penalties.

Subrogation.

Disposal of  
proceeds of  
penalties,  
&c.

How balance  
of subroga-  
tion fund is  
disposed of.

Duration  
of by-law.

Penalties for  
contraven-  
tion.

Destruction  
of dogs may  
be ordered.

**"5956e.** The municipality may claim in its own name the penalty mentioned in sub-paragraph *c* of paragraph 2 of article 5956c. It may also claim, before any civil court of competent jurisdiction, the amount of damages paid to the complainant, and it is subrogated by operation of law in the rights of any person who has so received an indemnity, as regards his recourse against the owner or possessor of the dog or bitch which has caused the damage suffered by such person.

The proceeds of the penalty and of the damages shall be paid into the compensation fund, out of which the costs, in case the municipality fails in its action, shall be paid, subject to the obligation to pay such costs and compensation out of the general funds of the municipality not otherwise appropriated, if the compensation fund is insufficient to meet all the requirements of this section.

**"5956f.** At the end of the tax year, the precise date whereof must be mentioned in the by-law, the balance of the compensation fund of the preceding year remaining unused, as well as the sums composed of penalties and damages collected by the municipality under article 5956e, shall continue to form part of the compensation fund for the following year, in case the by-law remains in force, or, if the fund is not continued, they shall form part of the general funds of the municipality.

**"5956g.** The by-law mentioned in this section may be passed every year by the council of a local municipality, or may contain a clause to the effect that it shall remain in force from year to year until repealed.

**"5956h.** Any municipality or person contravening the provisions of this section is liable, on summary conviction before a magistrate or a justice of the peace having jurisdiction at the place where the offence was committed or on penal action before the Circuit Court having jurisdiction, in addition to all other recourse, for each offence to a fine of not more than ten dollars.

In the application of this section, the judge may also order the owner or possessor of a dog or bitch which has killed or injured a sheep, to destroy such dog or bitch within a delay of three days, and may further in his judgment, condemn the delinquent, on his failure to comply with the order of the court in the above delay, to the payment of a fine of not more than twenty-five dollars and

costs, or, in default of payment of the fine and costs, Penalty. to imprisonment for not more than forty days."

**2.** This act shall come into force on the day of its sanc- Coming into  
tion. force.

## CHAP. 31

An Act to amend the Quebec Insurance Act with regard  
to insurance agents.

[Assented to 16th March, 1916]

**HIS MAJESTY**, with the advice and consent of the  
Legislative Council and of the Legislative Assembly  
of Quebec, enacts as follows:

**1.** The Revised Statutes, 1909, are amended by inserting R.S., 6961a  
therein, after article 6961 thereof, new articles 6961a and and 6961b,  
6961b, as follows: enacted.

" **6961a.** No insurance agent shall do business as such Prohibition  
in this Province who is not a *bona fide* resident of the for non-  
Province. resident  
insurance

Nevertheless the provisions of the first paragraph of this agents to do  
article shall not apply to an agent residing in any other business.  
province whose laws permit agents residing in this province  
to do business in such other province on the same terms Proviso.  
and conditions as residents thereof.

" **6961b.** The words "insurance agent", in this sec- Definition  
tion shall include an acknowledged agent, sub-agent or of "Insur-  
any person, firm or corporation who shall, on behalf of ance agent."  
any insurance company, in any manner transact the  
business of insurance by negotiating for or placing risks,  
or delivering policies, or collecting premiums, but shall  
not include the officers and salaried employees of any  
insurance company who do not receive commissions,  
nor the agents or representatives of mutual benefit associa-  
tions."

**2.** This act shall come into force on the day of its Coming into  
sanction. force.