

C A P . L X I V .

An Act to enable the Liverpool and London and Globe Insurance Company to contract, and to sue and be sued, in the Province of Quebec, in the name of the company, and for other purposes.

[Assented to 27th May, 1882.]

WHEREAS, the Liverpool and London and Globe Preamble. Insurance Company, a company established in England and recognized and empowered by divers acts of the Imperial Parliament, and especially by the "Liverpool and London and Globe Insurance Company's Act, 1864," of said Imperial Parliament, has carried on the business of fire and life insurance, and all matters connected therewith, without being a corporate body; and whereas the said company has established and duly appointed a local board of directors of the said company, in the city of Montreal, for the purpose of carrying on the business of the said company in the Dominion of Canada, and has, for many years past, carried on, and still carries on, such business; and whereas all real estate, situate in the Province of Quebec, belonging to the said company, and all moneys, belonging to and invested for the said company in the said Province, and all securities for or relating thereto, have, from time to time been acquired and taken, and are vested, either in the name of the said company, or in trustees or directors or officers of the said company, but for the use and benefit of the said company; and whereas it is expedient to afford to the said company facilities in recovering debts due to the said company, and in maintaining actions or other proceedings for damages done to their property; and also that persons, having demands against the said company, should be entitled to sue the said company by its name the "Liverpool and London and Globe Insurance Company", hereafter in this act called "the said company"; Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. In any actions, suits and proceedings at law, which shall hereafter be commenced, instituted, or carried on in this Province, by or on behalf of the said company, or wherein the said company is or shall be in any way concerned, either alone or jointly with others, whether against a member or proprietor of the said company or against any other person or persons, body or bodies politic or corporate, it shall not be necessary to name all or any of the mem- Company may sue and be sued under its corporate name.

bers and proprietors of the said company; but all such actions, suits, or proceedings, may and shall be commenced, instituted, and carried on in the name of the said company, in the same manner as if the said company had been incorporated by such name; and all actions, suits, and proceedings at law, which shall hereafter be commenced, instituted, or carried on, against the said company, either alone, or jointly with others, whether by any member or proprietor of the said company, or any other person, may and shall be commenced, instituted, and carried on against the said company, by its said name, in the same manner as if the said company had been incorporated.

Effect of judgments against company.

2. Every judgment, and every judicial order, which shall at any time after the passing of this act, be obtained against the said company, shall have the like effect and operation upon and against the property and funds of the said company, as if all the proprietors of the said company were parties before the court, in such action, suit or proceeding.

Obligations, &c., executed under corporate name valid.

3. All obligations for the payment of money, contracts, and other securities, which have been or may, at any time hereafter, be taken or executed in the name of said company, or in the names of any persons as the trustees, for the time being, in this province, of the said company, or by any director, or officer of said company, or by any other person, for, or on behalf of said company, by its name of the "Liverpool and London and Globe Insurance Company," shall be good and valid to all intents and purposes, and shall and may be put in suit and be sued upon in the name of the said company, without naming all, or any of the proprietors, or members thereof, as if the said company had been incorporated by such name.

Trust moneys, &c., to be held under this act.

4. The trust moneys, securities, and movable and immovable property of the said company, which now belong to the said company in this Province, and which have been acquired, or taken in the name of the present or any former trustees, directors or officers of the said company, or which may hereafter belong or be acquired or obtained, within this Province, by trustees or others on behalf of said company, shall be held by said trustees or other persons in trust for the said company by force of this act, and by virtue of their appointment.

Company may hold real es-

5. For the avoidance of doubts, it is declared that the said company may lawfully hold and possess real estate

within the Province of Quebec, to the value of not exceeding ten thousand dollars *per annum*, whether already acquired or which it may hereafter acquire, either in its own name, or by trustees on its behalf; and may also in addition acquire and take in its own name, any real estate in said Province, *bona fide*, hypothecated to it as security, and which it may purchase at any judicial sale of its debtors' property, or which such debtors may assign to said company in full or partial payment; but such last mentioned real estate must be disposed of within five years from the date of its acquisition.

Proviso, as to sale of property over that amount, within a certain time.

6. Nothing in this act contained shall extend, or, be deemed construed or taken to incorporate the said company, or to relieve or discharge the said company, or any of the proprietors thereof, or subscribers thereto, from any responsibility, duties, contracts or obligations whatsoever, which by law they now are, or at any time hereafter, may be subject, or liable to, either between the said company and others, or between the individual proprietors of the said company or any of them, and or others or amongst themselves, or in any manner whatsoever.

Effect of this act.

C A P . L X V .

An Act respecting societies and establishments, in this province, for the manufacture of butter or cheese or of both combined.

[Assented to 27th May, 1882.]

WHEREAS several butter and cheese manufacturing societies have already been established in the province, under the provisions of chapter 65 of the Consolidated Statutes for Lower Canada, respecting partnerships; whereas, the said act does not give them all the advantages which an act of incorporation would, and in the interest of this industry, which is being developed every day, it is expedient to give them powers of incorporation: Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Preamble.

1. When five or more persons, in any part whatsoever of the province, shall have respectively signed a declaration that they have formed an association for the manufacture of butter or cheese (or of both, as the case may be) in a certain place which shall be designated as their principal

Manner of constituting dairymen's associations into corporations.