

authority under his hand and seal, to authorize, name, constitute and appoint any person or persons other than any of the officers of the said College, whoever he may select, to institute any proceeding against any person who may be supposed to have infringed any of the provisions of this act, and to collect any and all sums of money payable to the said College by any person under this act. officers for certain purposes.

35. Nothing in this act contained shall be construed to affect the rights of any persons, under the provisions of the act 28 Vict., chap. 59, and amendments thereto, 29 Vict., chap. 95. Rights of homœopaths, not affected.

36. This act will come into force on the day of the sanction thereof. Act in force.

C A P . X X X V I I I .

An Act to further amend chapter 76 of the consolidated statutes of Canada, respecting the practice of Medicine and Surgery, and the study of anatomy.

[Assented to 31st October, 1879.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 4 of chapter seventy-six of the Consolidated Statutes of Canada is amended so as to read as follows : S. 4, C.S.C., amended.

"4. The Lieutenant Governor in council shall appoint at pleasure, any coroner or physician, not attached to any public or private school of medicine, or any other qualified person, to be inspector of anatomy for any city, town or locality where there is a public institution or school of medicine, as aforesaid." Appointment of an inspector of anatomy.

C A P . X X X I X .

An Act to establish Mutual Assurance Companies.

[Assented to 31st October, 1879.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The council of any rural municipality may make a by-law establishing a Mutual Assurance Company in Mutual assurance companies.

Municipalities.

order to keep assured against accidents by fire, lightning or wind, any buildings situated upon taxable real estate within the municipality, as well as any grain, hay, fodder and household furniture contained in such buildings.

Approval of by-laws by electors.

2. The by-law establishing such company must be approved by the municipal electors before having full force and effect.

Incorporation.

3. The owners of property assured in each mutual assurance company, established under the authority of the present act, shall form a corporation or body politic known under the name of: "The Mutual Assurance Company of the _____, (*here inserting the name of the municipality*);" and each such company shall be under the control of the municipal council of the municipality in which it is established. It shall be administered by the said council and may sue and be sued, and its place of business shall be the same as that of the said council.

Name.

Administrators.

Their powers.

Valuation of buildings on special roll.

4. After the coming into force of such by-law, the council may order the valuers of the municipality to make, under their oaths of office, an appraisal of the buildings, by inserting in separate columns, on a special roll prepared for that purpose:

1. A succinct description of each building situated upon any taxable real estate in the municipality;

2. The value of each such building, and all information required by the council.

Amendments to said roll.

5. The special roll mentioned in the preceeding section, may be amended by the council.

Contents of said roll.

6. The council, after the making of the said roll, shall, at a public meeting duly convened, enter on the said roll, opposite the description or valuation of each building which they shall not deem it advisable to assure, the words: "objected to by the council," and opposite the description or valuation of each building whose proprietor shall object to its being assured, the words: "objected to by the proprietor." The latter may withdraw his objection when he thinks proper, by giving notice in writing, to the Secretary-Treasurer who shall, without delay, enter under his signature, under the words: "objected to by the proprietor," the words: "objection withdrawn," and thenceforward the said building shall remain assured.

Buildings which are considered insured.

7. Dating from the day inclusively of the meeting mentioned in the preceding section, all the buildings of

which the description and valuation shall be entered upon the said roll and not objected to by the Council or the proprietors, shall be assured according to the provisions of this act.

8. Whenever a proprietor desires to get a building assured, of which the description and valuation are not entered upon the said roll, he must cause it to be appraised by the valutors who shall insert the description and value thereof in the said roll; and if the Council, at its meeting, immediately after the insertion of the description and valuation of such building in the said roll, does not cause to be entered opposite the description and valuation of such building, the words: "objected to by the Council," such building shall remain assured dating inclusively from the day of such last meeting.

Assurance of buildings not mentioned in roll.

9. On demand of the proprietor, the Secretary-Treasurer may assure, under the prescribed formalities, the grain, hay, fodder, the produce of his harvest and furniture contained in the buildings not objected to by the Council, to the amount for which a demand is made to it.

Assurance of grain, &c.

10. The Council may, at any time, after the meeting mentioned in the sixth section, discontinue each of the insurances which it may deem advisable to cancel, by making an entry opposite the description and valuation of such assured property, whether it be moveable or immoveable, the words: "objected to by the Council," and by informing the owner that such insurance is discontinued, either by means of a special notice in writing served upon him or at his domicile, or by a notice deposited in the post-office, and registered and addressed to him.

Cancellation of assurance by Council. Proceedings to that effect.

11. The owners of property insured as aforesaid, shall be the members of the said Mutual Insurance Company; they shall alone be responsible, in proportion to the amount for which each of their properties is insured, towards the said company for the amount of damage caused by fire, lightning and wind, as well as for all debts and obligations contracted by the said company.

Proprietors insured, considered members of the company.

12. The said company shall be responsible towards each of its members, for two thirds of the damages caused by fire, lightning or wind, to the buildings and moveable effects so insured, to the amount of not exceeding two thirds of the valuation of such buildings or moveable effects as shown upon the said valuation roll, which valuation shall never, in any case, exceed the sum of three thousand dollars on a property of two arpents frontage.

Responsibility of the company.

Claims by
insured.

13. Whenever an accident occurs by fire, lightning or wind, to the property insured, the claim which the owner is entitled to make, shall be filed as soon as possible at the office of the Council.

Arbitration
in case of dis-
agreement.

14. When the claimant and the Council cannot agree as to the amount claimed, the question, at the request of one of the parties, shall be submitted to three arbitrators, one of whom shall be appointed by the claimant, one by the Council and the third by the first two arbitrators, and in case the latter cannot agree upon the appointment of a third arbitrator, he shall be appointed by the Judge of the Superior Court of the district in which the said company is situated, and the decision rendered by the majority of the said arbitrators shall be final.

Manner of
paying
claims.

15. The amount to which the claimant is entitled shall be paid him by a note of the said company, signed by the Mayor and countersigned by the Secretary-Treasurer, for the same amount payable within twelve months from the date thereof, bearing interest from the date at which the damages were caused up to payment.

Indemnity
by Council.

16. The Council shall be entitled, for the benefit of the corporation, to indemnify it for all costs incurred in the management of the company including the salary of the Secretary-Treasurer, and that of the valuers, for such amount as it may deem reasonable, but which, in no case, shall exceed ten per cent of the amount collected by it for the said company.

Reserve fund.

17. The Council may, if he is authorized by the majority of the assured present at the meeting mentioned in the sixth section, levy twenty-five cents per one hundred dollars of the amount assured, to establish a reserve fund, and shall levy annually, an amount sufficient to meet all the damages the amount of which shall have then been established, and to pay all the obligations and matured debts of the said company.

Amount
levied by tax.

This amount shall be levied by means of a tax imposed upon each building insured, in proportion to the amount of its valuation, and of that of the valuation of its contents as shown on the said valuation roll.

Tax assim-
ilated to
municipal
taxes.

18. The tax imposed in virtue of the preceding section, is assimilated to municipal taxes; and it shall have the same privilege and the same rank without the formality of registration being required, and the amount with interest at per cent, from the time it has become due, shall be recoverable by the Secretary-Treasurer in the same manner as municipal taxes.

19. Two or more of the mutual assurance companies established under the authority of the present act, may enter into agreements for the purpose of making one responsible towards the other, in proportion to the amount insured by each of them, for damages caused by fire, lightning or wind. Responsibility of companies towards each other.

20 The Council may, from time to time, make any by-law necessary for the proper working of the said company. Council may pass by-laws.

21. For the purposes of this act, the word: "rural municipality," shall only include such properties the buildings on which shall be placed at a distance of at least one hundred feet from the neighbouring properties. Interpretation of words: "rural municipality."

22. The present act shall come into force on the day of its sanction. Act in force.

CAP. XL.

An act to amend the act of the late province of Canada, 24 Vict., chap. 32, respecting Mutual Assurance companies.

[Assented to 31st October, 1879.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 1 of the act of the late province of Canada, 24 Vict., chap. 32 is amended, by adding after the word: "municipality," in the fourth line, the following words: "also the properties outside of the said limits, provided they be situated entirely within the county in which are situated the said parish or municipality, which assurance company shall be known." S. 1 of 24 V. c. 32, amended.

2. This act shall come into force on the day of its sanction. Act in force.