

Trustees and no compensation made, the steps to be now taken to pay such compensation.

have been done to any person by such Commissioners or Trustees, in carrying into effect the powers in them vested by law, and no compensation shall, before the passing of this Act, have been paid or tendered to the party whose land was so taken, or who sustained such damage, as aforesaid, it shall be lawful for the Commissioners of the District Turnpike Trust to assess and tender such compensation, and if such compensation shall not be so assessed and tendered within six months after the passing of this Act, or if the party to whom it shall be tendered be not satisfied therewith, the amount of such compensation shall be decided by a Jury of the District at the Court of Quarter Sessions, to be empanelled and sworn for that purpose, at the request of the party entitled to compensation, and if no compensation shall have been offered, and a verdict for compensation shall be given, or if the verdict shall be for a greater sum than that tendered, as aforesaid, the Commissioners shall pay the costs of the proceeding, otherwise they shall be paid by the party claiming compensation, and the amount of the compensation assessed, tendered or awarded by verdict under the provisions of this section, shall and may be paid by the Commissioners of the District Turnpike Trust out of any monies in their hands applicable to the purposes of the Act first above cited.

CAP. LXIV.

An Act to amend an Act of the Parliament of the late Province of Upper Canada, intituled "An Act to authorize the establishment of Mutual Insurance Companies in the several Districts of this Province."

[18th September, 1841.]

Preamble.

WHEREAS it is expedient to amend the provisions of the Act of the Legislature of the late Province of Upper Canada, passed in the sixth year of the Reign of His late Majesty King William the Fourth, and intituled *An Act to authorize the establishment of Mutual Insurance Companies in the several Districts of this Province*; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled *An Act to Re-write the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that so much of the fifth section of the said Act as provides that the Mutual Insurance Company first established under the authority of the said Act, in and for any District, shall alone have the right of insuring property

Act of U. C. 6 Will. 4, cap. 18.

So much of the 5th section of the said Act as prevents any Company from insuring property out of its own District, repealed.

perty lying within such District, under the authority of the said Act, shall be and the same is hereby repealed; and that henceforth it shall be and may be lawful for any Mutual Insurance Company in Upper Canada, after it shall have been lawfully incorporated under the provisions of the said Act, in any District of that part of the Province, to admit (if the Directors of such Company, the owner of any property, moveable or immovable, lying within any part of Upper Canada, as if such property was lying within the District in and for which such Company shall have been so incorporated, as aforesaid, and to insure any such property, as if the same was lying within such District; and that each and every person so admitted as a member of any such Mutual Insurance Company shall have the same rights, and be subject to the same liabilities as the other members of such Company; any thing in the said Act contained to the contrary hereof notwithstanding.

Any such Company may insure any property within Upper Canada.

Persons so insured shall be members of the Company insuring them.

II. Provided always, that the property so to be insured, as aforesaid, shall be in some District in which no Mutual Insurance Company shall have been incorporated under the authority of the said Act, or shall have been already Insured by the Mutual Insurance Company of the District in which such property shall be situate, to such amount as such last mentioned Company shall have thought proper, or shall have been refused expressly on the ground that such Company would not increase its liabilities, such refusal, certified by the Secretary of such Company to accompany the application to the Insurance Company for the District in which such property shall not be situate, and in which the Insurance shall be applied for:

Such property to be in a District where no company exists or have been already insured or have been refused insurance by the Company of the District in which it is situated.

III. And be it enacted, that whenever the total amount Insured by any Company incorporated under the authority of the said Act, shall on the day appointed for the election of Directors in any year, exceed the sum of one hundred thousand pounds, the number of Directors to be elected for the management of the affairs of such Mutual Insurance Company, for the then next year, shall be eleven, who shall have all the powers by the said Act, vested in the Board of Directors of such Company: Provided always, that five shall continue to be the number required to constitute a quorum, and that the Act of any majority of such quorum shall be deemed to be the Act of the whole Board; but if, on the day of such election, in any year, the amount insured by the Company shall not exceed the said sum, then the number of Directors to be elected, for the then next year, shall be as fixed by the seventh section of the said Act.

If amount insured by a Company exceed, £100,000 eleven Directors shall be elected.

Five to be a Quorum and the act of a majority thereof to be binding on the Board.

IV. And be it enacted, that nothing in the twelfth section of the said Act, shall be construed to prevent any promissory note deposited with any Mutual Insurance Company from being made payable to any Officer of such Company, or to any person

Promissory notes deposited in the Company may be made payable

to any officer thereof or other person and afterwards indorsed to the Company.

person or persons, for the purpose of being indorsed by such person or persons in favour of, or to such Company or any Officer thereof; and any such note, whether so deposited before or after the passing of this Act, shall be valid and effectual, any thing in the said Act contained to the contrary notwithstanding.

C A P . L X V .

An Act to Incorporate a Company under the style and title of "The
" City of Toronto Gas Light and Water Company."

[18th September, 1841.]

Preamble.

WHEREAS the Lighting of the Streets and Public Places of the City of Toronto, with Gas, and supplying the said City with good and wholesome water, would be of great public advantage; and whereas the "City of Toronto" under their Common Seal, and divers Inhabitants of the said City of Toronto, as well as Joseph Masson, Albert Furniss, and John Strang, have by their Petitions prayed that the said Joseph Masson, Albert Furniss and John Strang, and others who may become associated with them in the undertaking, may be incorporated under the style and title of "The City of Toronto Gas Light and Water Company," the better to enable such Institution to conduct and extend the business of manufacturing Gas and Lighting the said City of Toronto with Gas, and of supplying the same with Water; Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled *An Act to Re-write the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted, by the authority of the same, that the said Joseph Masson, Albert Furniss, and John Strang, and all such persons as shall hereafter become Stockholders of the said Company, shall be and are hereby ordained, constituted and declared to be a Body Corporate and Politic, in Law, in fact and in name, by the style and title of "The City of Toronto Gas Light and Water Company," and by that name and style their assigns or successors shall and may have continued succession, and shall and may be capable in Law of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended in all Courts and places whatsoever, and that they and their assigns or successors may have a Common Seal, and may change and alter the same at pleasure, and shall and may have the power to purchase lands, tenements

Gas Light
and Water
Company
Incorporated
and invested
with certain
Powers.