

Laws of Her Majesty's Province of United Canada, passed in the year 1856. Quebec: Stewart Derbyshire and George Desbarts, 1856.

20 Victoria – Chapter 58

**An Act to amend the Act establishing Mutual Fire Insurance Companies in Lower Canada.
Assented to 19th June, 1856.**

Whereas it is expedient to amend the Act of the Legislature of Lower Canada, passed in the fourth, year of the Reign of His late Majesty, King William the Fourth, intituled, *An Act to authorize the establishment of Mutual Fire Insurance Companies*, so far as relates to double insurance, and to the competency of witnesses and judges in suits where Insurance Companies are interested; and farther to amend the said Act and other Acts relating to insurance, so far as relates to notices required to be given in certain cases: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

- I. The provisions and enactments contained in the twenty-third section of the above cited Act shall be held to include and have reference to all property, as well personal as real, which Fire Insurance Companies, organized under said cited Act or other Acts amending the same, are allowed to insure, and to this effect shall be construed and interpreted by all Courts and Judges before whom the same shall be brought in question.
- II. The interest any person may have in the issue of any suit or action to which any Insurance Company formed under the said cited Act or any Act or Acts amending the same, by reason of his being a member of such Insurance Company, shall not render him an incompetent witness in such suit or action on behalf or against such Company, nor shall such interest be sufficient cause for the recusation of a Judge before whom any cause to which an Insurance Company may be a party shall be heard.
- III. It shall not be necessary to the validity of any Policy of Insurance which shall hereafter be issued by any Company formed under the above cited Act, or under any Act or Acts amending the same, that such Policy shall be executed in duplicate, or that such Policy shall be signed by the party assured; and whenever it shall be deemed expedient by the Directors of such Company not to execute any Policy in duplicate, the words "in duplicate" in the form (Schedule A), appended to the first cited Act, may be omitted.
- IV. In cases when any party applying for insurance cannot write, the application, premium note, or any other document necessary to be signed by him, may be signed with his mark in the presence of two witnesses who shall attest the same after; such application, note, or other document shall have been read to the party so making his mark as aforesaid.
- V. It shall not be necessary that the Directors of any Company shall publish by posting notices at the Church doors of the Churches of the parishes or townships in which any members of such Company may reside, the total amount of any dividend to be paid in, which shall have been

declared during the year, but the mode by which such notice shall be published may be determined by the By-laws of such Company; Provided such notice shall be published in at least one newspaper within the District where the party assured resides, if there be such newspaper within the District, and if not, the same shall be published in a newspaper published nearest the residence of the party assured; and the notice so published pursuant to the By-laws of such Company shall have the same effect with respect to all parties indebted for such dividend as if the same had been posted at the Church doors as aforesaid.

VI. It shall not be necessary that notices of any meeting other than the first meeting of the Company, shall be published by posting the same at the Church doors of the parishes or townships within which any insurances by such Company are effected, but notice of such meetings inserted two consecutive weeks in one newspaper in the English Language and one in the French Language, published at or nearest the place of business of such Company, prior to the date of such meeting under the signature of the Secretary, specifying the date and place of such meeting, shall be sufficient.

VII. Nothing in this Act shall be held to affect in any manner suits pending or determined at the time this Act shall come into force, or any rights acquired, but the same shall be determined in all respects as if this Act had not been passed.