

after the acquisition thereof, but shall, at or before the expiration of such period be absolutely sold and disposed of, so that such company shall no longer retain any interest therein, except by way of security.

2. Any such parcel of land, or any interest therein, not within the exceptions hereinbefore mentioned, which has been held by such company for a longer period than twelve years without being disposed of, shall be liable to be forfeited to His Majesty for the use of Canada: Provided that:—

(a) No such forfeiture shall take effect until the expiration of at least six calendar months after notice in writing to the company by the Minister of the intention of His Majesty to claim the forfeiture; and

(b) The company may, notwithstanding such notice, before the forfeiture is effected, sell or dispose of the property free from liability to forfeiture.

3. It shall be the duty of such company to give the Minister when required a full and correct statement of all lands at the date of such statement held by the company, or in trust for it, and subject to the foregoing provisos.

68. If upon an examination of the assets of a Canadian company or in the case of a company incorporated or legally formed elsewhere than in Canada and licensed under this Act, the assets in Canada of such Company is defined in subsection 2 of section 20 of this Act, it appears to the Superintendent, or if he has any reason to suppose, that the value placed by the company upon the real estate owned by it or any parcel thereof is too great, he may either require such company to procure an appraisalment of such real estate by one or more competent valuers, or may himself procure such appraisalment at the company's expense, and the appraised value, if it varies materially from the return made by the company, may be substituted in the annual report prepared for the Minister by the Superintendent. If, upon such examination, it appears to the Superintendent, or if he has any reason to suppose that the amount secured by mortgage or hypothec upon any parcel of real estate, together with the interest due and accrued thereon, is greater than the value of such parcel, or that such parcel is not sufficient security for such loan and interest, he may in like manner require the company to procure an appraisalment thereof, or may himself at the company's expense procure such appraisalment, and if from the appraised value it appears that such parcel of real estate is not adequate security for the loan and interest, he may write off such loan and interest a sum sufficient to reduce the same to such an amount as may fairly be realizable from such security, in no case to exceed such appraised value, and may insert such reduced amount in his said annual report.

2. If upon any examination of a Canadian company's affairs it appears to the Superintendent for any reason desirable that a complete and thorough audit of the books of the company should be made or if a company makes a written request for such audit, the Superintendent may nominate a competent accountant who shall, under the direction of the Superintendent, make a special audit of the company's books, accounts and securities and report thereon to the Superintendent in writing verified by the oath of such accountant. The expenses of such special audit shall be borne by the company and the auditor's account therefor when approved in writing by the Superintendent shall be conclusive and shall be payable by the company forthwith.

Penalties and Forfeitures.

69. Every company which makes default in depositing in the Department the annual and other statements herein provided for, shall incur a penalty of ten dollars for each day during which such default continues.

2. All such penalties shall be recoverable and enforceable with costs at the suit of His Majesty, instituted by the Attorney General of Canada, and shall when recovered be applied towards payment of the expenses of the Department.

3. If such penalties are not paid, the Minister, with the concurrence of the Treasury Board, may order the license of such company to be suspended or withdrawn as is deemed expedient, and until such penalties are paid, the license of such company shall not on expiry be renewed.

70. Every person who:—

(a) In Canada, for or on behalf of any individual underwriter or underwriters, or any insurance company not possessed of a license provided for by this Act in that behalf and still in force, solicits or accepts any risk, or grants any annuity or advertisements for, or carries on any business of insurance, or prosecutes or maintains any suit, action or proceeding, or files any claim in insolvency relating to such insurance, or, acting as an insurance agent, receives directly or indirectly any remuneration from any British or foreign unlicensed insurance company or underwriters; or, except as provided for in section 139 of this Act, issues or delivers any receipt or policy of insurance, or collects or receives any premium, or inspects any risk, or adjusts any claim; or

(b) except only on policies of life insurance issued to persons not resident in Canada at the time of issue, collects any premium in respect of any policy; and every director, manager, agent, or other officer of any assessment life insurance company subject to Part II of this Act, and every other person transacting business on behalf of any such company, who circulates or uses any application, policy, circular or advertisement on which the words "Assessment System" are not printed as required by Part II of this Act;

shall, on summary conviction before any two justices of the peace, or any magistrate having the powers of two justices of the peace, for a first offence, be liable to a penalty not exceeding fifty dollars and costs, and not less than twenty dollars and costs, and in default of payment, to imprisonment with or without hard labour for a term not exceeding three months and not less than one month; and for a second or any subsequent offence, to imprisonment with hard labour for a term not exceeding six months and not less than three months.

71. All informations or complaints for any of the aforesaid offences shall be made or laid in writing within one year after the commission of the offence.

72. Every assessment life insurance company which neglects to print the words "Assessment System" on any policy, application, circular or advertisement, as required by Part II of this Act, and

2. Every company which—

(a) carries on, without receiving the license required by Part IV. of this Act, any business of insurance for the carrying on of which a license is by Part IV. of this Act required; or