



# RULES OF THE MUTUAL INSURANCE SOCIETY OF CONCEPTION BAY.

Adopted at a Meeting of the Ship  
owners, held at Mr. William  
Branscombe's, Carbonear,  
on the 12th Feb., 1836.

RULE 1st.—This Scheme of Insurance  
shall be Mutual.

II.—It shall consist of Owners or legal  
Representatives of such decked Vessels,  
as may be approved by the Surveyors here-  
after appointed.

III.—It shall insure all Vessels, be-  
longing to Conception Bay, together  
with the three following Vessels belong-  
ing to St. John's:—viz. the United  
Brothers, Daniel O'Connell, and Belle  
Isle; fitted out for the sealing and Coast-  
ing Voyages, from 12 o'clock at night  
on the 4th day of March, until 12 o'clock  
at night, on the last day of May. But any  
Vessel sailing on a sealing voyage after  
the 10th day of May will be at the risk  
of the Owner or Owners after 12 o'clock  
at night on the last day of May. Pay-  
ment of all losses to be made by the end  
of June, and such payments are to be  
made in Cash, (Spanish Dollars at five  
shillings each.)

IV.—It shall remunerate the Owner for  
a total loss occasioned by the Winds,  
Seas, Rocks, Shoals, Ice, Lightning, Fire,  
(in Port and at Sea), Enemies, Pirates,  
Thieves, or by any other means whatso-  
ever, provided the Master and Mariners  
shall not be able to prevent it. It shall  
not make good any loss arising from Bor-  
ratory of the Master or Mariners; neither  
shall it pay for any losses occasioned by  
smuggling, or any kind of illicit Trade.

V.—It shall also pay the Owner for  
such partial average losses, as shall with  
the incidental charges amount to 15 per  
cent, on the sum insured if the Vessel be  
stranded at the time of sustaining such  
partial loss but not otherwise, except that  
the Committee shall be invested with a  
discretionary power to allow average  
losses in certain cases where they may  
consider it in justice due to the claimant,  
and they shall also have a discretionary  
power to reward the crew of any Vessel  
saved by such crew, as may appear to  
them (the Committee) just and reasonable.  
The parties claiming, are not to be present  
at the meeting of the Committee, during  
the discussion respecting their claim; and  
in all claims on this Society, a regular  
protest shall be noted and extended, so  
that it may be produced to the Commit-  
tee previous to their decision.

VI.—It shall insure Vessels while en-  
gaged in occupations within the limits of  
this Government and its Dependencies  
(including the Coast of Labrador), or  
when laid up in Harbor; but they shall  
be insured at all times, during the be-  
fore-mentioned terms, as well in Port as  
at Sea.

VII.—All Vessels must be surveyed  
before they proceed on the Sealing Voy-  
age, as well as all that may experience  
damage and consequent repairs; but there  
shall be no charge for any survey but  
the first.

VIII.—The following Surveyors are  
nominated, viz.:—For Carbonear, Mess.  
Wm. Taylor, sen. Felix M'Carthy, sen.  
and John Nichol, sen.; For Bay Roberts,  
Port-de-Grave and Spaniard's Bay, Sa-  
muel Mercer, Patrick Delaney, Wm. An-  
drews, Ship Cove, John Richards, Bare-

Need, Robert Goose, sen.; For Brigus,  
Wm. Percy, sen. Wm. Antle, Wm.  
Munden; For St. John's, Daniel Dwyer,  
Thomas Burke. Which Surveyors are  
to value (if approved) such Vessels as  
they may be directed to survey by a no-  
tice from the Secretary.

IX.—Two of the foregoing Surveyors  
shall be requisite to inspect each Vessel;  
and no one of them shall be a party in the  
surveying or appraisement of his own, or  
of any in which he shall have share or  
interest. It shall be their duty to see  
that the Vessels are well found in an-  
chors, cables, sails, and every other re-  
quisite for the voyage, and particularly  
to ascertain that the hull is tight, stanch,  
strong, and in all respects fit to encoun-  
ter the difficulties it may be liable too in  
the proposed voyage. It shall also be  
incumbent on them to see that a proper  
place is provided for the gunpowder in  
each, and that it is actually stowed away  
in such place previous to the Vessels sail-  
ing for the Seal Fishery. It shall also  
be their duty to judge of the qualificati-  
ons, and to approve or disapprove (as  
may be,) any master that may be propos-  
ed, who has not been a master of a Ves-  
sel in the scheme before. The Survey-  
ors are not to examine any Vessel before  
they receive from the Secretary a written  
notice that the Owners have signed the  
Rules of the Society, as well as the Pow-  
er-of-Attorney to the Secretary.

X.—The Surveyors shall give the Se-  
cretary the certificate, stating their appro-  
val of the Vessel, and the value at which  
they have rated her, in which the master's  
name shall be inserted as a proof that  
they are satisfied with him; which certi-  
ficate after being recorded by the Secre-  
tary shall be handed to the Owner or  
Broker, as a security for the Insurance of  
the Vessel; but should the Owner or  
Agent wish the Vessel to be entered for  
a less sum than is expressed in such cer-  
tificate, he shall exchange it with the Se-  
cretary for another, containing the actual  
amount at which she is enrolled, which  
last shall then form the ground-work of  
the policy; and a note shall be made in  
the records of this Society, to shew that  
he is content to risk the difference on his  
own account, but in case the Owner  
should take any part of the risk on his  
own account, then he is to receive his  
proportion of any wreck that may be  
saved.

XI.—The Surveyors are to observe  
that a spare Rudder with two pintles fit-  
ted, is carried in every Vessel that goes  
on a Sealing Voyage, and only one Boat  
is to be valued with the Vessel.

XII.—Every Insurer shall Underwrite  
on each Vessel the Surveyors may admit,  
agreeably to the Rules; according to the  
value of his Vessel, relative to the whole  
amount of the property in the Scheme,  
and to the Vessel so to be Insured.

XIII.—Messrs. John Elson, George  
Forward, and William Bemister, are elect-  
ed joint Treasurers to this Society, who  
agree to make no charge for any trouble  
the office may give them. They are to be  
accountable for what Monies they may  
from time to time receive belonging to  
the members of this Society.

XIV.—Mr. LORENZO MOORE is appoint-  
ed Secretary; he is to provide policies,  
and all the stationery; give to each insur-  
er a copy of these Rules; attend the meet-  
ing of the Committee; settle and collect  
the amount of losses.

XV.—The Secretary shall fill up and  
deliver a policy to every person sustain-  
ing a loss within these Rules, in ten days  
after having been called on for the same,

signed by him, in behalf of each insurer, the meeting in.  
consonant to a Power-of-Attorney, to be  
given him for that purpose; in default of  
which, he shall forfeit a fourth part of  
his Fees for the season.

XVI.—The undermentioned twenty-two  
persons are nominated to represent every  
individual member of the Society, in a  
Committee, viz.—Messrs. Felix M'Car-  
thy, sen. Francis Pike, Richard Brans-  
field, sen. Richard Bransfield, junr. Ed-  
ward Dwyer, Thomas Oats, Edward Pike,  
John Nichol, jun. Nicholas Nichol,  
William Brown, Edward Guiney, Charles  
M'Carthy, jun. Daniel Lacey, John  
Bransfield, jun. John Keilly, James For-  
ward, Charles Hamilton, William Becket,  
Edward Hanrahan, Nicholas Ash, Fran-  
cis Taylor, George Penny; by whose  
judgment, or a majority of any eleven of  
them, when regularly convened, and  
when given in writing, to the Treasurers,  
we engage ourselves to abide, each per-  
son for himself, his heirs, and assigns, as  
regards the particular share of any indi-  
vidual insurer. It is, nevertheless, to be  
understood, that although such power is  
vested in the Committee, they are to go-  
vern themselves by these Rules.

XVII.—No member of the Committee  
shall be competent to vote at a meeting to  
consider of a loss, in which he may be  
interested, either as Owner or Represen-  
tative of the Owner.

XVIII.—If any underwriter shall re-  
fuse to pay his proportion of any loss, so  
allowed by the Committee, to the Secre-  
tary, on demand, after it has become due,  
the Secretary shall sue for the same at  
law, in behalf of the sufferer.

XIX.—In the event of a total or aver-  
age loss, the master shall note a protes-  
t, call in two or three special Surveyors,  
if need be, and if wreck be saved, employ  
an Auctioneer to sell it by public Vendue  
for the benefit of the Underwriters; or,  
if it should appear to be for their inter-  
est, he shall freight it to Carbonear or  
St. John's; preferring Carbonear, where  
it shall in like manner, be disposed of,  
if in Carbonear, by order of the Treasur-  
ers, and at some time previous to the  
close of the season. The net proceeds,  
Auctioneer's account of charges, &c. shall  
be given to the Treasurers within a month  
at latest. The net proceeds of such sale  
be divided amongst all the members of  
the Society, according to the value of  
their property in the scheme. The ex-  
pense of Surveying, Noting, and extend-  
ing protest, shall be borne by the Own-  
ers of the Vessels requiring such Docu-  
ments.

XX.—Should a Vessel deserted by her  
crew in consequence of being in danger  
of perishing amongst Ice, or Rocks, &c.,  
be afterwards recovered, and found to  
have sustained damage to the value of  
Forty per cent, on the original certificate,  
on a just Appraisal, the Owner may  
abandon to the Scheme; but if he do thus  
abandon, it must be declared within  
three days after arrival, and after it comes  
to his knowledge. No Vessel shall be  
allowed to be abandoned but by regular  
survey, and unless it be proved that it  
will require at least forty per cent, on the  
sum insured on such Vessel to complete  
the repairs.

XXI.—No Vessel shall be sold or  
transferred from the persons in whose  
name she is entered in the scheme, with-  
out security being given for the payment  
of all demands the society may have on  
any such Vessel.

XXII.—Two Shillings shall be paid  
for each Vessel to Mr. WILLIAM BRAN-  
SCOMBE for the use of his room to hold

XXIII.—The Treasurers and Commit-  
tee shall have access to the Record Book,  
and other documents in the hands of the  
Secretary, whenever they desire it.

XXIV.—In case a Vessel be lost, and  
any of the wreck or materials saved, the  
Master shall furnish the Secretary with  
an inventory thereof, immediately on his  
arrival at home.

XXV.—The owners of all Vessels to  
be insured, shall sign the Rules, and the  
Power-of-Attorney to the Secretary, on  
or before the fifth day of March; and  
give to the Secretary at the time of sign-  
ing, the names of the Vessels to be en-  
tered in the scheme; thereby binding  
themselves to the scheme, that such  
Vessels shall be entered and liable to pay  
for the loss of any Vessel on the Seal  
Fishery.

XXVI.—There shall be a fine of Five  
Shillings upon each member of the Com-  
mittee who without offering a reasonable  
excuse shall omit to attend at the proper  
time appointed to settle matters.

XXVII.—This Scheme shall not in-  
sure for more than ONE THOUSAND  
POUNDS Currency, on any one Ves-  
sel.

XXVIII.—Every Vessel insured in  
this scheme must carry a Flag of three  
yards long and two yards deep, a white  
ground and the letter C in the centre.

XXIX.—The Secretary shall be paid  
Thirteen Shillings by each Vessel for his  
Fee, and the Surveyors Three Shillings  
each, for every Vessel they survey.

LORENZO MOORE,  
SECRETARY.

LOCUSTS.—The Egyptian locusts abound  
in the vicinity of New Orleans; and are  
commonly termed 'black jacks.' Their  
size varies from two to three inches; al-  
though the females are seldom under  
three inches.

Charleston Rail Road.—During the  
month of October, 3013 passengers were  
conveyed upon this road, and 6,847 bales  
of cotton, were received by it in Char-  
leston. The receipts of the Company for  
the same time, amounted to 36,462 dol-  
lars 26 cents, independent of the mail.—  
American paper.

The Journal of Commerce states that  
it is not true that a draft has been offer-  
ed and protested for any portion of the  
25,000,000 of francs, due from France—  
nor has the French Government as yet  
intimated its satisfaction, or its dissatis-  
faction on, with 'explanations' tendered  
by the President.

THE NEWHAMPSHIRE BORDERS.—We  
are happy to learn from the Concord  
Statesman, that the statement contained  
in a letter from Columbia, which was  
first published in the Newburyport He-  
rald, of the killing of several persons, in  
a contest between a Sheriff's posse, and  
a number of the inhabitants of the dis-  
puted territory, is untrue. There has  
been no lives lost in the quarrel, and  
only two persons hurt.

The Bangor Republican states, that the  
Railroad between that place and Old  
Town, is now in a rapid state of progress.  
The distance is about twenty miles.—  
About one thousand men are employed  
in this undertaking.

The insignia of a Knight Grand Cross  
of the Guelphic Order has been conferred  
on Major-General Sir James Cockburn,  
Inspector-General of the Royal Marines.