

Notice to be given of the assessment.

such sums as the directors determine, and for such further sums as they think necessary and as are authorized by this Act for losses, expenses, and reserve, during the currency of the policies for which said notes or undertakings were given, and in respect to which they are liable to assessment; and every member of the company, or person who has given a premium note or undertaking, shall pay the sums from time to time payable by him to the company during the continuance of his policy, in accordance with the assessment; and the assessment shall become payable in thirty days after notice thereof has been mailed to the member, or person who has given the premium note or undertaking, directed to his post office address, as given in his original application, or otherwise in writing to the company. R. S. O. 1877, c. 161, ss. 47, 53.

Policy to be void, if any assessment or note is not paid within thirty days.

125. If the assessment on the premium note or undertaking upon a policy is not paid within thirty days after the day on which the assessment has become due, the contract of insurance, for which the assessment has been made shall be null and void as respects all claim for losses occurring during the time of non-payment: but the contract shall be revived if the assessment has been paid, unless the Secretary give notice to the contrary to the assessed party in the manner in this Act provided; but nothing shall relieve the assured party from his liability to pay the assessment or any subsequent assessments, nor shall the assured party be entitled to recover the amount of loss or damage which happens to property insured under the contract while the assessment remains due and unpaid, unless the Board of Directors in their discretion decide otherwise. R. S. O. 1877, c. 161, s. 48.

but shall be revived by subsequent payment.

Requisites of notice of assessment.

126. A notice of assessment upon any premium note or undertaking mailed as aforesaid shall be deemed sufficient if it embodies the register number of the contract the period over which the assessment extends, the amount of the assessment, the time when and the place where payable. R. S. O. 1877, c. 161, s. 40.

Assessment, how proportioned.

127. The assessment upon premium notes or undertakings shall always be in proportion to the amount of the notes or undertakings, having regard to the branch or department or the class to which their policies respectively appertain. R. S. O. 1877, c. 161, s. 50.

Company may sue for assessments on premium notes.

128. If a member or other person, who has given a premium note or undertaking, for thirty days after notice of assessment has been mailed to him in manner aforesaid, neglects or refuses to pay the assessments, the company may sue for and recover the same with costs of suit, and such proceeding shall not be a waiver of any forfeiture incurred by such non-payment. R. S. O. 1877, c. 161, s. 51.

Certificate of the Secretary to be prima facie evidence of amount due to the Company.

129. Where an assessment is made on any premium note or undertaking given to the company for a risk taken by the company, or as a consideration for any policy of insurance issued, or to be issued by the company, and an action is brought to recover the assessment, the certificate of the secretary of the company, specifying the assessment, and the amount