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No. 101.

1st Session, 1st Parliament, 31 Victoria, 1868.

BILL.

An Act to incorporate "The Canadian
Lake Underwriters' Association."

(PRIVATE BILL.)

MR. ANGUS MORRISON.

OTTAWA:

PRINTED BY HUNTER, ROSE & CO..

An Act to incorporate "The Canadian Lake Underwriters' Association."

WHEREAS the Provincial Insurance Company of Canada, the British America Assurance Company, and other Insurance Companies, have, by their petition, represented that on the seventeenth day of February, in the year of our Lord one thousand eight hundred and sixty-two, they formed themselves into an Association called "The Association of Canadian Lake Underwriters," for the purpose of adopting a uniform system of inspection and classification of all Steamers and Sailing Vessels navigating the St. Lawrence above Montreal, and the inland waters of Canada,—the investigation into the capacity and character of masters and officers of vessels, and into the causes of marine losses and disasters, and other like purposes; that they have, through their Agents and Inspectors, obtained valuable information on these subjects, from which, they have reason to believe, the commercial community has derived great benefit, and that they are desirous of obtaining a special Act of incorporation with a view to promoting more effectually the objects of the said Association, and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of the Dominion of Canada, enacts as follows:—

1. The Provincial Insurance Company of Canada, the British America Assurance Company, and the Western Assurance Company, and such other Insurance Companies as may associate with them, are hereby constituted a body corporate and politic, by the name of "The Canadian Lake Underwriters' Association," for the purpose of collecting and disseminating information upon subjects of marine or commercial interest, of encouraging and advancing worthy and well qualified commanders and other officers of steamers or sailing vessels in the merchant service, of ascertaining and certifying the qualifications of such persons as shall apply to be recommended as such commanders or officers, and of promoting the security of life and property on the inland waters of Canada, between the Port of Montreal and the head of Lakes Huron and Superior.

2. The said Corporation shall have power to make and adopt a Constitution and By-laws, Rules and Regulations, for the purposes, and government thereof, for the admission of new associate companies, for granting masters and other officers of vessels certificates of competency, for the regulation and payment of fees and dues, and for the management of its funds and property, and from time to time to alter, modify and repeal the same.

3. The said Corporation may purchase and hold any real estate necessary for actual use and occupation, to an extent not exceeding in value five thousand dollars per annum; and may apply its funds and property, from time to time, in bestowing premiums or medals for praiseworthy acts in the merchant service, and in such other ways as may seem conducive to the purposes aforesaid.

Board of Managers.

4. The business, property and affairs of the said Corporation shall be under the control of a Board of Managers, consisting of the President, the Vice-President and the Secretary or General Manager for the time being, of each of the Insurance Companies associated with it; but any such Company may, at their option, select some other person from among their Directors, to represent them in lieu of their President, Vice-President, Secretary or Manager; and the person so chosen shall continue in office until the first meeting of the Directors of such Company after the annual election; and if his place at the Board become vacant by death, resignation or otherwise, another Director may be selected by the said Company to fill the same for the remainder of the term. 5 10

Provisional Board.

5. The Honorable John Hillyard Cameron, the Honorable John McMurrich, George Percival Ridout, the Honorable William Cayley, Charles Magrath, Lewis Moffatt, James Sydney Crocker, Barnard Haldan, Thomas W. Birchall, 15

shall constitute the first Board of Managers, and shall continue in office until the third Monday in December next after the passing of this Act, when they shall be replaced by a Board constituted in the manner provided by the last preceding section. 20

Inspectors may be appointed.

6. The Board of Managers may, from time to time, appoint one or more persons as Inspectors, to report to them upon the following matters, that is to say:

1. Upon the nature and causes of any accident or damage which any vessel has sustained or caused, or is alleged to have sustained or caused, or to any goods, merchandise, or other things whatsoever, aboard such vessel. 25

2. Whether the provisions of the Act respecting the Navigation of Canadian waters, or any regulations made under or by virtue thereof, have been complied with. 30

3. Whether the hull, rigging, equipments and appurtenances of vessels are sufficient and in good condition.

May inspect vessels.

7. Every such Inspector, while the navigation is closed, shall have power to go on board any vessel and inspect the same or any part thereof, or any of the boats, equipments or articles on board thereof. 35

Provision for investigation into the cause of marine losses.

8. And whereas the said Canadian Lake Underwriters' Association have further prayed that they may be authorized, at their own expense, to cause investigation to be made by competent authority into the cause of and the circumstances attending the total or partial loss on the lakes or inland waters of the Provinces of Ontario and Quebec, above Montreal, of any vessel or cargo, in which any of the Companies forming the said Association may be interested, as having issued any policy of Inland Marine Insurance thereon,—and it is expedient to grant their prayer; therefore, the eighty-eighth chapter of the Consolidated Statutes of Canada, intituled, "An Act respecting the investigation of accidents by fire," as extended and amended by the Acts twenty-third Victoria, chapter twenty-five, and twenty-fourth Victoria, chapter thirty-three, except the third and eighth sections of the Act first cited, shall extend and apply to all cases of the total or partial loss of any vessel or cargo, on any of the inland lakes or waters of the Provinces of Ontario and Quebec, above Montreal; and the Coroner within whose jurisdiction any such loss shall have occurred, or within whose jurisdiction the vessel shall afterwards be, shall institute an enquiry into the cause, origin and 50

circumstances of such loss, and as to whether it was caused by design, or was the result of want of skill, negligence or accident, and shall act according to the result of such inquiry; and such Coroner and any Jury or Juror by him impaneled in the case, and any witness by him
5 summoned to attend at such inquiry, shall, with regard to such case, have the same powers and duties and liabilities, as such Coroner, jury, juror or witness would have in any case mentioned in the said Act; Provided that no Coroner shall institute any such inquiry except upon
10 the requisition, in writing, of the President for the time being of the said Canadian Lake Underwriters' Association, which corporation shall pay all the expenses and costs attending such inquiry.