

BYE-LAWS
AND
REGULATIONS
OF THE
BROCK DISTRICT
MUTUAL FIRE INSURANCE COMPANY,
WOODSTOCK, UPPER CANADA,
AS APPROVED BY
THE BOARD OF DIRECTORS,
WITH
TARIFF OF INSURANCE.

—
INCORPORATED BY ACT OF PARLIAMENT.
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WOODSTOCK:
MENZIES & WALKER, PRINTERS.
1840.

OFFICERS

OF THE

Company,

For the Year ending June, 1841.

DIRECTORS.

THE HON. P. B. de BLAQUIERE, PRESIDENT.

R. RIDDELL, JOHN ARNOLD,
JAMES INGERSOLL, ELIJAH NELLIS,
HENRY FINKLE, JOHN GREIG.

H. C. BARWICK, *Secretary and Treasurer.*

BYE-LAWS
OF THE
B R O C K D I S T R I C T
MUTUAL FIRE INSURANCE COMPANY,
WOODSTOCK, UPPER CANADA.

ARTICLE I.

Section 1.—The annual meeting of the Company for the election of Directors, and when the affairs of the Company will be submitted, shall be held on the first Monday in June, the day appointed by law, at ten o'clock, A. M. at such place in Woodstock as the Directors for the time being may order ; notice of which shall be given by the Secretary, or, on his failure, by the President, stating the time, place, and design of said meeting, by publication three weeks successivly in the newspapers printed within the District, the last of which publications shall be at least ten days previous to the time of holding said meeting.

Sect. 2.—Whenever, in the opinion of a majority of the whole board of Directors, the interest of the Company shall require it, or when thirty or more members of the said Company shall apply to the Directors, setting forth, in writing, left with the Secretary, the purposes for which a meeting is desired, a special meeting of the Company may be called, to be holden at Woodstock, and notified in the manner aforesaid.

Sect. 3.—At every meeting of the Company, the President, when present, and in his absence the senior Director, shall call to order, and preside until a chairman be chosen. The election of Directors shall be by ballot, as the Act requires. All other questions may be determined by voting in such way as the majority present may think proper.

ARTICLE II.

Sect. 1.—Notice of assessments shall be given by the Treasurer by publication, in the papers printed in the District three weeks successively, the last publication of which shall not be less than thirty days prior to the time fixed for their payment, and in such other newspapers as the Directors may deem necessary or expedient. The Directors may also cause such notice to be published in hand-bills, posted up in such places as they may direct.

Sect. 2.—In order that there may not be more than one assessment in any year, and that such assessment may be paid at the annual meeting of the Company, the Directors are authorized, in case of any loss or damage by fire, to borrow such sum or sums of money as may be required to meet such loss or damage; and in making the annual assessment the interest accruing on money borrowed, and also all incidental expenses, shall be included in such assessment.

ARTICLE III.

Sect. 1.—The Company will make Insurance for the term of three years; and the amount of the premium note or sum to be deposited for the insurance of any building shall be according to the hazard of such building, or the danger to which it may be exposed to loss or injury by fire; taking into consideration the materials of which it is composed, the manner of its construction, the purposes for which it is used, its situation as to other buildings, and all other circumstances affecting its risk.

Sect. 2.—Insurances shall not be made to a greater amount than £1,500, on any one risk.

Sect. 3.—In cases when no permanent lien can be created, as on household furniture merchandize, &c., the Directors may require an indemnity in lieu thereof, by an approved surety on the premium note.

Sect. 4.—Not more than two-thirds of the estimated value of any building shall be insured by this Company.

BYE-LAWS OF THE DIRECTORS.

ARTICLE I.

Sect. 1.—Five per cent. of the premium note shall be paid and endorsed thereon at the time of effecting the insurance; 5s. for the survey, 5s. for each policy and 2s. 6d. for each renewal of the same.

Sect. 2.—If insurance be wanted on more than one building in the same policy, the amount on each must be named; also the amount on furniture, goods, grain, &c. &c. must be separately named.

ARTICLE II.

Sect. 1.—Every person wishing to become a member of this Company, shall previous to being insured, deposit his application and premium note with the Secretary of said Company, and if approved by the Directors, as aforesaid, the policy shall bear date on that day, and take effect at noon, unless directed by the applicant to be dated on another day.

ARTICLE III.

Sect. 1.—It shall be the duty of the Treasurer to receive and keep for the use of the Company, the premium notes and all monies which may be paid into his hands, and pay

out the same by order of the President and Directors, in writing. And before entering upon the duties of his office, he shall give Bonds in the sum of £1000, to the satisfaction of the majority of the Directors, and he shall make report in writing of the state of the Treasury at each annual meeting, and to the Directors at any time when required thereto by them, and shall receive for his services such sum as the Directors shall direct.

Sect. 2.—It shall be the duty of the Secretary to keep fair and correct records of all the proceedings of the Company, and also of the Directors, and file and keep all writings coming to his hands necessary to be preserved, and shall make and preserve all records, surrenders, and transfers, which are or may be necessary to be made and preserved in his office, and also to do and perform all other acts required of him by virtue of the Act of Incorporation, and Bye-Laws, and shall receive such sum or sums for his services as the President and Directors shall appoint, and shall before he enters upon the duties of his office give Bonds in the sum of £1000, to the satisfaction of the Directors.

ARTICLE IV.

Sect. 1.—Application for Insurance on at least £25,000 shall be received, examined and approved by a majority of the Directors, before they shall allow any policy to be issued,

Sect. 2.—Each deposit note shall be retained by the Treasurer thirty days after the expiration of the term of insurance named in the policy for which it was given, and until the amount of all losses and expenses which may have accrued during said term shall have been ascertained and paid.

ARTICLE V.

Sect. 1.—Whenever any member of this Company shall alienate or sell any house or building insured, he may

surrender his policy to the Secretary, with a request signed by him to have the same cancelled, together with a certificate of the Town Clerk, or of the agent of the said Company in his vicinity, or of some other person knowing the fact, and the Secretary shall enter the same on record as cancelled, to take effect the day the same shall be received by him; and in case one building only is alienated or sold, where others are contained in the same policy, said policy may be surrendered as to that building only, and to take effect on the day it shall be received by the Secretary, and the amount of premium on the said building so sold, shall be endorsed after thirty days from the date of surrender, on said member's premium note, or such portion thereof as shall not have been paid or expended.

Provided farther, That whenever the grantee or alienee shall procure an assignment and transfer of a policy, when he shall have purchased the whole property insured, and shall within thirty days from the day he purchases the same, forward the said Policy and Assignment to the Secretary, he may have the same confirmed and ratified to him; and when said Assignment shall be approved by the Directors, as aforesaid, the Secretary shall record the same, and the confirmation thereof by order of the said Director, when the said grantee or alienee, shall have given satisfactory security for the payment of the residue of the premium note given for the said policy.

Sect. 2.—Whenever any member of this Company, who has an insurance on goods or other personal property only, shall *bona fide* alienate or sell out said goods or other property, he may have the same privilege of surrendering his policy, and under the same regulations as if his policy was on buildings, and have the same cancelled; and when goods, or other personal property, are insured with buildings, and goods, or part are sold, said policy may be cancelled as to that part only, under the same regulations as mentioned in the preceding section.

Sect. 3.—Whenever any alterations, or additions, or change of occupants, shall be made to any building insur-

ed, application may be made to the agent in the town or vicinity, who shall certify his opinion whether the same increased the hazard or not, and forward the same, and a statement of said applicant, by him signed, to the Secretary, who shall submit the same to the Directors for their approval; or said application may be made to a Director, or the Secretary, and when approved, the Secretary shall enter on record of said policy, that the same is not endangered, and return to the insured a certificate thereof; but in case the Agent or Secretary, shall judge that said alterations or additions, do increase the risk, then they shall say how much, & take an additional note for such increased risk, and when approved by the Directors, as aforesaid, the Secretary shall enter a minute thereof, on the record of said policy, and forward to the insured a certificate thereof.

Sect. 4.—Whenever any one, hereafter insured, shall alienate conditionally, by mortgage, his policy shall be void, unless he shall make a representation thereof in writing to the Directors, stating the amount and to whom mortgaged, who shall have power to give their assent to said mortgage, or to cancel said policy, as they shall judge proper on examination of the same.

Sect. 5.—When buildings are mortgaged at the time they are insured, the mortgagee may have the policy assigned to him on his signing the premium note, or giving security for the payment of the same.

Sect. 6.—It is hereby provided, that in case any building, goods, or other property insured by said Company shall be burned or damaged, the Directors, may demand an additional security for the payment of the deposit note given for the insurance of said property, by the insured depositing with the Treasurer the amount that shall remain unpaid on said note, which deposit shall consist of a part of the insurance money due said insured, to be retained by the Treasurer until the expiration of the term of his policy, when the insured shall have the right to demand and receive such part of the said sum deposited as has not been expended in losses and assessments; and

it shall be the duty of the Treasurer to pay the same after thirty days from the expiration of his said policy.

Sect. 7.—All persons insured by this Company, and sustaining loss or damage by fire, are forthwith to give notice thereof to the Company, and, within thirty days after said loss, to deliver in a particular account of such loss or damage, signed by their own hands, and verified by their oath or affirmation; and also, if required, by their books of account, or other proper vouchers: they shall also declare, on oath, whether any, and what, other insurance has been made on the same property. If there be any fraud or false swearing, the claimant shall forfeit all claim, by virtue of his policy.

ARTICLE VI.

Sect. 1.—There shall be a regular meeting of the Directors, at the Secretary's Office, on the First Saturday of every month, at 10 of the clock, A. M.

Sect. 2.—Any two of the Directors may direct the Secretary to call a special meeting of the Board; and in his absence, may notify the other Directors of said special meeting.

Sect. 3.—The sum of 7s. 6d. per day shall be allowed to each Director, attending at the hour appointed, and 4d. per mile for travel each way.

Sect. 4.—All orders on the Treasurer for such sums as shall be allowed by the Directors, shall be signed by the President or Chairman of the Board, and countersigned by the Secretary; and the Treasurer is directed to pay all such orders.

ARTICLE VII.

Sect. 1.—No furniture, usually denominated fixtures, machinery, or other legal or constructed immoveables, contained in any building, shall be held to be insured, or as accessory to the same; and the insurance on any build-

ing shall not be held to include any thing outside thereof, such as galleries, porches, apparatus, sheds, or other buildings, except the same be specially valued in the policy, but to extend to verandahs around dwelling houses.

Sect. 2.—If any buildings, or other property, insured at this office shall be described in the application of the assured as being less hazardous than they really are, such insurance shall be void and of no effect, whether said buildings or property may have been visited by any member, officer, or servant of this Company or not.

Sect. 3.—The following to be considered as hazardous, and doubly hazardous risks, viz. :—

Hazardous.—Apothecaries, blacksmiths, boat builders, brewers, booksellers' stock, dyers, druggists, earthenware, china, and glassware, in packages, groceries, jewellers, oil, pitch, printing-offices, sail makers, spirituous liquors, saltpetre, sulphur, tar, and turpentine.

Doubly Hazardous.—Aqua fortis, ether, barns, bake-houses, coach-makers, cabinet-makers, carpenters, chair-makers, coopers, chemists, ship and tallow chandlers, charcoal, distilleries, earthen and glassware retailers, founders, fodder, flax, grain unthreshed, gunpowder, hay, hemp, joiners, lime unslacked, and other articles becoming spontaneously ignited or combustible, musical instrument makers, oil mills and machinery, and all manufactories which contain furnaces, ovens, coakles, kilns, stoves, or otherwise using fire-heat, malt-houses, potash works, rope-makers, stables, straw, steamboats, ships, or vessels, in harbour, or building, sugar refiners, tobacco manufactures, theatres, and all trades or occupations using or occasioning fire-heat, shavings, or combustibles.

Sect. 4.—Goods not hazardous are such as are usually kept in hardware and dry goods stores; cotton in bales, coffee, clothing, flour, household furniture, indigo, potash, rice, sugar, and all other articles which are not combustible.

Sect. 5.—Goods held in trust or on commission, must be insured as such, otherwise this policy will not cover such property.

Sect. 6.—Jewels, medals, plate, plated-ware, pictures, family paintings, sculpture, or musical instruments, are not included in any insurance, unless such articles are specified in the policy.

Sect. 7.—Books of account, manuscripts written securities, bills, bonds, tallies and gunpowder, are not to be held insured by any policy granted by this Company.

Sect. 8.—No claim will be allowed for loss or damage by fire, occasioned by the invasion of a foreign enemy, insurrection or civil commotion, or any military or usurped power, nor the damage done by fire occasioned by the burning of the forest woods, or by the clearing of lands in the country; nor will the Company be answerable for any loss, or damage by fire that may happen to any hay, corn, seed, or other property by natural heating; but the Company will make good losses on property burned by lightning.

Sect. 9.—In case the buildings, or other property herein mentioned, have been already, or shall be hereafter insured by any policy from this office, or by any other Insurance Company, or by any private insurance, such other insurance, must be made known to the Company, and mentioned in, or endorsed on the policy, otherwise the policy to be void.

Sect. 10.—That all policies belonging to members who shall neglect or refuse payment of their annual assessments or dividends, at the time prescribed by law, and the bye-laws of the Company, and after notification shall have been given to that effect by the Treasurer, according to said bye-laws, shall be suspended, and shall be of no value to such member, or members, who shall be deprived of all the privileges granted by virtue of the same, until such time as such assessment or dividend so declared shall have been paid, either voluntarily on the part

of the assessed, or by the common course of law, and such members shall not be indemnified for any loss that they may have suffered during the suspension of such policy, but all such members shall be bound and held to contribute to the payment of all losses suffered by other members of the Company, the same as though said suspension of said policy had not taken place, until the expiration of the same.

Sect. 11.—When property insured is only partially damaged, no abandonment of the same shall be allowed unless by consent of the Company or its agent ; and in case of the removal of property, to escape conflagration, the Company will rateably contribute to the loss and expense attending such acts of salvage.

Sect. 12.—When loss or damage upon any real property insured by this office shall have been sustained, it will be optional with the Company to pay or make good such loss or damage, either in money according to the sum insured, or by rebuilding such real property, and reinstating the assured therein, or by repairing the same, according to the circumstances of the case, and with all due diligence, without being held to make any compensation or indemnification to the said assured for rent, or non-enjoyment in the premises.

T A R I F F
 O F
RATES OF INSURANCE
 FOR THE
 BROCK DISTRICT
MUTUAL FIRE INSURANCE COMPANY,
 WOODSTOCK, UPPER CANADA,
 FOR THREE YEARS.

FIRST CLASS.

	<i>Per Cent.</i>
<p><i>No.</i> 1.—Buildings of stone or brick, covered with metal; no hazardous trade or occupation, or hazardous goods allowed therein; isolated and out of danger from all other buildings, and not having wooden porches or covered galleries connected with other buildings; or when not so situated, securely protected by iron doors and shutters, so as to be equally isolated, & in other respects protected from external danger; and where neither fire nor lights are used.</p>	3
<p><i>No.</i> 2.—The same kind of buildings where fire or lights are used.....</p>	4
<p><i>No.</i> 3.—When not isolated or securely protected as above, but distant from wooden buildings, so as not to be endangered by them</p>	4½

	<i>Per Cent.</i>
No. 4.—When in unfavourable situations, or endangered by wooden buildings, or in very narrow streets.....	5 to 7

SECOND CLASS.

No. 1.—Buildings of stone or brick, covered with wood; no hazardous trade or occupation allowed therein; isolated from all other buildings, and not having wooden porches or covered galleries connected with other buildings.....	5½
No. 2.—The same when they adjoin first class buildings.....	6
No. 3.—The same when they adjoin second class buildings.....	6½
No. 4.—The same endangered by wooden buildings, or porches, or covered galleries connected with other buildings..	7 to 10

THIRD CLASS.

No. 1.—Buildings partly of stone, and partly of wood, plastered inside and out, covered with metal, isolated, no hazardous trade or occupation, or hazardous goods allowed therein.....	5
No. 2.—The same covered with wood.....	5½
No. 3.—The same in unfavourable situations, covered with metal, gable walls of stone or brick.....	6 to 7
No. 4.—The same in unfavourable situations, covered with wood, gable walls of stone or brick.....	8 to 10

FOURTH CLASS.

No. 1.—Buildings wholly of wood; no hazardous trade or occupation, or hazardous goods allowed therein; completely isolated, and distant from all buildings	
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	<i>Per Cent.</i>
likely to endanger them 60 feet at least,	6
No. 2.—In favourable situations, but exposed to risk from first or second class buildings	6½
No. 3.—Detached, but within from 40 to 60 feet of wooden buildings	7
No. 4.—Detached, but within from 25 to 40 feet of wooden buildings.....	7½
No. 5.—Adjoining wooden buildings on one side, and within a short distance from the other	8
No. 6.—Adjoining and surrounded by wooden buildings.....	9 to 16

EXTRA RATES.

Over and above the foregoing ordinary Premiums.

- Firstly.*—When hazardous goods are deposited in the building, (wholesale establishments alone excepted where no goods are retailed,) such as pitch, tar, turpentine, rosin, tallow, oils, spirituous liquors, brimstone, sulphur, saltpetre—upon the buildings and contents..... ½
- Secondly.*—When extra or doubly hazardous goods are deposited in the buildings, earthenware, china, or glassware, or packages, hemp, flax, upon building and contents 1
- Thirdly.*—When the goods insured consist of the stock of retail dealers in earthenware, china, glassware, watchmakers' gold, or silversmiths', (jewellers' stock not included which is special,) apothecaries', druggists', upon goods only .. 2 to 3

	<i>Per Cent.</i>
<i>Fourthly.</i> —When the goods insured consist of the stock of retail dealers in oil, tallow, ship chandlers, upon the building and contents	1½ to 2
<i>Fifthly.</i> —When the following trades or occupations are carried on, on building and contents :	
1. All retail shops, not before enumerated, and boarding houses, also dye houses.....	1½ to 2½
2. Sail makers, (no tar to be heated in the premises,) printing offices, hotels and taverns, bakers, blacksmiths, tinsmiths, armourers, and other smiths,.....	2 to 3½
3. Confectioners, chymists, hat manufactories, rope-makers, (the tar house to be out of danger and not insured,)....	3 to 4
4. Stables and barns	2 to 3
5. Carpenters, joiners, cabinet makers, coopers, musical instrument makers, and all other workers in wood, at their workshop or manufactories	5 to 10
6. Houses and buildings under repair, or building where any wood work occasioning chip, and shavings is made in the buildings, or in any other way by which it is endangered.....	7½ to 15
7 Buildings of stone or brick, having the partitions and ceilings of wood, to be considered as an isolated wooden building, No. 1, and pay accordingly	5 to 6
8. Jewellers' stock special.	
9. Churches, lowest rates of their respective classes, excepting when having spires, and unprotected with metallic lightning conductors of sufficient efficacy, when the extra charge will be..	1 to 2
10. For every additional tenant under the same roof in first and second class buildings,.....	¼

	<i>Per Cent:</i>
Do. Every additional tenant under the same roof, in third and fourth class buildings,	1
11.—When adjoining buildings are extra hazardous, an extra rate to be paid, according to the situation of such buildings, at the discretion of the Directors	

SPECIAL RATES.

Grist mills worked by water	10 to 20
Saw mills,	do.
Carding mills, oil mills, kilns, malt houses, clothers' works, paper mills,.....	15 to 30
Nail factories worked by water,	10 to 25
Tobacco manufactories and India rubber do..	do.
Breweries, (second class buildings one quarter more than stone).....	10 to 20
Distilleries,	15 to 25
Soap and candle manufactories	10 to 20
Tanneries, (second class buildings, one quarter more than stone,).....	10 to 20
Founderies,.....	10 to 20