

ROYAL CASUALTY AND SURETY COMPANY.

House in committee on Bill (No. 51) respecting the Royal Casualty and Surety Company of Canada.—Mr. H. H. McLean.

On section 1,

Mr. LENNOX. I have a letter from a constituent in reference to the name of one company. He speaks of a Bill proposed by the Royal Victoria Life Insurance Company to drop the word 'Victoria' and make it the Royal Life Insurance Company.

Mr. FIELDING. This is not the Bill to which my hon. friend refers. The question of title comes up here, however.

Mr. LENNOX. I presume that in the committee the question of title was probably discussed, but my correspondent, who is interested in the Royal Insurance Company, thinks this is not fair. I am not sure whether that is a life company.

Mr. FIELDING. Fire and Life.

Mr. LENNOX. This is a life and death company too; it is an accident company, and, of course, it involves the element of life insurance in that respect. I submit to the minister that it is worth while considering whether any company should be allowed to use a name that will conflict with the name of an existing company. I know that the minister thinks such a practice should not be encouraged. I find on the Order Paper a Bill to incorporate the Royal Canadian Accident Insurance Company, and I submit that we are having too much royalty in this matter.

Mr. FIELDING. I rather sympathize with the views of my hon. friend. This matter was considered before the committee and we had great difficulty in coming to a conclusion as to where the line should be drawn. Some of these names would naturally suggest themselves to anybody, and it has been held that no one company should have a monopoly of such a name. Take, for example, a Bill which we had before us respecting the Great West Loan Company. We have a Great West Life company, and it was suggested that there might be a certain confusing of names. On the other side it is said that the Great West is an expression which we use in describing our great western prairies, and that it would not be proper to let any one set of men take that name to themselves and use it as a monopoly; but if one company is doing one class of business and another company another, we would have to trust to the other words of their title to mark the distinction. Another view expressed at a previous meeting of the committee is that associations organized abroad, either in foreign countries or in Great Bri-

Mr. S. SHARPE.

tain, and having particular names, should not be permitted to have a monopoly so that other companies could not use similar names in Canada. The last case of the kind which occurred a year ago was with reference to the word 'Travellers.' That is the name of a well-known American company doing business in Canada for many years. Application was made for a charter for a company to be called 'The Travellers of Canada.' Objection was at once taken that there was likely to be confusion, but the committee held that the word 'Travellers' could not be the property of any set of people; it was a common word which any one could use, and the mere fact that some company abroad had taken it should not debar the parliament of Canada from granting a similar name to a Canadian company. There is great difficulty in determining just where the line should be drawn. Wherever it is likely to create confusion in the public mind, I think we should not grant a similarity of names, but in the discussion before the committee the general view was that we should not permit any company to monopolize a name, especially one which might be common property. Royal is a name of that character; it is a name that is applied to a number of institutions. If we said that the first set of men who seized upon a common word of that kind should have a monopoly of it as applied to business organizations, I think we should be going too far. I am not very clear in my own mind as to whether this name is an invasion of the rule which the committee laid down or not; but taking it all in all, the committee held that the objections raised in this case were not well founded.

Mr. LENNOX. I quite appreciate that the minister has a pretty difficult task in this matter; but I am inclined to think that in this case we are doing what is probably unwise. There is, I think, a sharp distinction to be drawn between a foreign company and a British company; but I am not at all sure that there is any sharp distinction to be drawn between a Canadian company and a British company. We might refuse a charter to a foreign company which seeks to obtain a monopoly of a certain name; but when a British company, with our concurrence has been doing business with British people in Canada, I think we might very well deal with it upon the same basis as we would with our own people. That is the first point. There is another point. In the first case we view the matter from the company's standpoint; but it is even more important to view it from the standpoint of the people. The minister touched that note by saying that we want to deal with these matters so that the people will not be confused or misled, and as far as we can avoid repetition of names we should do so. The