

THE experience of the Manchester Unity of Oddfellows during the five years 1893-97 goes far to confirm the opinion, held in many quarters, that under existing conditions sickness assurance is a particularly risky business, and cannot be safely undertaken unless more adequate rates can be obtained. The broad results of the elaborate tabulation made by Mr. Alfred Watson, the actuary, show increased sickness at all ages, as compared with the 1860-70 tabulation, of 21 per cent. up to forty-five years of age; an excess of 76 per cent. from that age to sixty-five; and an excess of 42 per cent. after that age had been passed. Such a change is, to say the least, most remarkable, and it is probable that the society would have been landed in serious trouble had not its mortality rate declined to a very considerable extent. In the earlier periods of life, up to age forty-five, the death-rate disclosed by the new tables was only about 66 per cent. of that shown by the 1860-70 tabulation, and for the ages forty-six to sixty-five inclusive it was only about 90 per cent. In this last respect the experience of this great friendly society agrees with previously-known facts. Most people were aware that the vitality of the masses had improved, though it certainly was not expected that the improvement apparent would be nearly so great.—"The Observer."

SUFFERERS BY FLOODS.—It was a generous action on the part of the Metropolitan when it notified its superintendents at centres in Kansas, Missouri, Nebraska, Iowa, and other sections affected by the high rivers, that until otherwise advised, the company, in its industrial department, would pay death claims under policies in arrears, where non-payment of premiums was in consequence of the floods. It will also revive business when the policyholders are able to pay, without insisting upon the usual evidence of good health, and will accept a lien for overdue premiums on any policy which has been in force for over one year, and dividends may be credited on any policies entitled to receive them at any time during the current year. In referring to this noble act the Standard of Boston says: "Twas just like John R. Hegeman to issue that notice to the flood sufferers in the West."—United States Review."

RECENT LEGAL DECISIONS.

LIFE INSURANCE, PRESUMPTION AS TO DEATH OF INSURED.—Francis Edward Roderick, married in 1886. In September, 1893, a benefit certificate was issued to him by the Knights of the Maccabees, for \$2,000, at the City of Hamilton, where he was one of the charter members of the local tent. His wife was named as the beneficiary. Five months after the insurance was effected Roderick left for the United States, and was last heard from by his wife in a letter which he wrote from Buffalo in May, 1894. Roderick was secretary of a camp of the Independent Order of Foresters at Hamilton, and when he left it was found that he had taken \$100 belonging to that order, so an information was laid and a warrant issued for his arrest. Up to the time of his departure he paid his monthly dues to the Maccabees and afterwards his wife paid them. Finally, presuming that her husband was dead, the wife brought an action against the Knights for the amount of the insurance. Mr. Justice MacMahon, of the Ontario High Court, gives judgment in

favour of the insurance association. He holds, that when a person is absent for seven years without being heard from by those with whom he would naturally communicate were he alive, the presumption is raised that he is dead. Regard, however, must always be had to the circumstances under which the person absented himself, and as to whether he would probably communicate his whereabouts to his relatives. In the present case the absentee had committed a criminal offence and left Canada under a cloud, and that would render it improbable that he would let his whereabouts be known. Slight evidence will rebut the presumption of death after the seven years have elapsed. There was uncontradicted evidence that he was in Chicago in 1897, and so the seven years' presumption has been effectually rebutted. *Roderick v. Supreme Tent of Knights of the Maccabees of the World*, 2 Ont. Weekly Reporter 493.)

LIFE INSURANCE, RECOVERY OF PREMIUMS MISREPRESENTATION BY AGENT.—A resident in England was persuaded by two agents of The Pearl Life Insurance Company to take out two policies on the life of his mother, a person in humble circumstances. Subsequently, learning that the policies might be void, as he had no insurable interest in the life of his mother, he brought an action to recover back the premiums he had paid, amounting to some £43. A local judge in the County of Oxford gave judgment for the insurance company, this was appealed and came before Lord Chief Justice Alverstone and Justices Wills and Channell and these three judges were unanimous in directing the premiums to be repaid. In the course of his judgment the Chief Justice said: The evidence confirmed the view that the jury meant to say that the policies were taken out in consequence of the *bona fide* representation by the agent that both policies would be good. The court had to consider whether the case fell within the class of cases where money could not be recovered back, on the ground that there was an insurable interest. As to the point about the funeral expenses, it was said that there was authority in favour of their constituting an insurable interest. His Lordship doubted whether the mere expectation of having to pay funeral expenses would constitute an insurable interest. The parties in the present case were not in an equal position. The agent was presumed to have experience in the law as to insurance policies, and the person to whom he went was entitled to rely on his statement, that the policy was good, and if money was *bona fide* paid on that statement it could be recovered back. The principle was, that money paid in reliance upon a statement made by a person who was in a position to know the law, brought the case within the decisions that the money could be recovered back. (*Harse v. Pearl Life Insurance Co.*, 19 Times Law Reports 474.)