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pany. Such contract of re-insurance was not in the form of a treaty contract, but the standard form of fire policy of New York was used, and a description of the risk contained in a type-written rider attached to and forming part of such policy. The policy contained the usual condition that no suit or action for the recovery of any claim should be sustainable unless commenced within twelve months next after the fire. This same condition was contained in the policies of the Western and Home companies.

In the Ottawa-Hull conflagration on the 26th of April, 1900, a large quantity of railway property was destroyed. The loss was adjusted by the Western Assurance Co., and paid the following March. The Home paid its proportion of the loss under its re-insurance policy, but neglected to bring action against the Victoria-Montreal Fire Insurance Company until the following June—more than one year after the fire.

The case was tried before Mr. Justice Trenholme in the Superior Court, who maintained the action of the Home Insurance Company to the extent of \$3,727.68 with interest and costs, holding that the printed condition limiting the right of action to one year from the fire was not applicable to a policy of re-insurance and that it was stipulated that liability for re-insurance should be as specifically agreed thereon, and that the substantial part of the contract was contained in the typewritten rider.

This judgment was unanimously confirmed in review, by Judges Mathieu, Lavergne and St. Pierre, and a number of United States cases were cited in support of such judgment.

The Victoria-Montreal Fire Insurance Company appealed to the Supreme Court, and that court, by a majority of three to two, reversed the decision of the lower courts, and held that the condition of the policy limiting the right of action to twelve months was applicable to a contract of re-insurance, and that the stipulation of the contracting parties in such respect must govern.

MONTREAL STREET RAILWAY.

The annual meeting of the Montreal Street Railway Company took place on 2nd November, and was very brief. Hon. L. J. Forget occupied the chair, and the annual report was passed with apparent satisfaction and very little comment. It came out that the removal of snow cost the company \$80,000 in the twelve months, and ex-Alderman Cochrane said it cost the city as much more. He declared half the aggregate was wasted, and the chairman admitted that there was a great waste. Mr. W. G. Ross, managing director, stated that the company had relaid 16 per cent. of their total mileage in the most substantial manner, using 96-pound rails with steel ties and concrete bed. The election of directors resulted in the re-election of L. J. Forget, K. W. Blackwell, W. G. Ross, F. C. Henshaw, Sir H. Montague Allan.

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