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## THE Insurance and Finance Chronicle

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**A Singular Accident Claim.**  
DR. Bailey is a physician in New York State. On 6th November, 1894, when driving home from Hague village, near Lake Champlain, he became faint. Having no stimulant on hand, he injected one-eighth of a grain of morphia into his leg with a hypodermic needle. —morphia, as De Quincey tells us, having the anomalous property of rapidly exciting intermittent power. Dr. Bailey claims that while he sat in his carriage engaged in performing this surgical operation, the horse started, and the jerk drove the needle deeply into his leg, resulting in serious inflammation which kept him sick for several months. He asked the Court to compel the Interstate Casualty Co. to pay him \$487.50 under a policy taken out, insuring him "against bodily injuries sustained through external, violent and accidental means." The first Court dismissed the case, on the ground that the injury done was not of a class covered by the policy. On appeal to the Supreme Court, an elaborate argument was made as to what class of bodily injuries are sustained "through external, violent and accidental means." Judgment was not formally given, but the Court held that, "If, in the use of the needle, an agency that otherwise would not have been in force was accidentally set in motion, there was no good reason why it might not be found that the injuries were attributable to the accident, as the sole and proximate cause." The case is certainly quite unique. Any surgeon who undertakes such a delicate operation on himself as a hypodermic injection while seated in a carriage, with no one to keep the horse from moving, is not entitled to sympathy if he injures himself. The so-called accident may have been caused by his being too sick to control the needle. It was a decided case of contributory negligence. An

accident preventable by the exercise of a little common sense and ordinary care is not one of a class which justly entitles the sufferer to indemnity. Men are not insured against their own recklessness.

THE Bill introduced into the Senate, framed for the protection of Canadian policyholders against the possible depreciation of their policies under free silver, has been withdrawn by request of the Government. In speaking on this matter in the Senate, Sir Oliver Mowat announced the Government's intention to introduce a Bill next session, by which all the policies issued by United States companies to Canadians would be made payable in gold, or its equivalent. The deposits of such companies in the hands of the Government to be held to guarantee this. Sir Oliver's announcement has created quite an excitement across the line. It is being pointed out that, if the United States insurance companies are compelled to pay all Canadian claims in gold, and the assets they hold are reduced 47 per cent. by the free coinage scheme, the American policyholders will be likely to come out at the small end of the horn,—their policies will have to be scaled down very materially. Sir Oliver Mowat's ideas on this matter are on record. He will make legislation effective in compelling all the claims of Canadians on any foreign companies to be paid in Canadian currency, and, in default, the deposit of any defaulting company will be used to make up the defective payment. Sir Oliver is the mildest mannered and softest spoken of men, but his will is as firm as a granite rock. The companies affected may rest assured he will fulfill his word.

**Pawn not your Policy.**

"PAWN not your Policy" is the advice given by the Australian *Finance Gazette*, which charges that the life offices are "turning themselves into glorified Mont de Piétés," or, in English, pawn shops. Though the French of this expression is defective, the advice it conveys is sound. Widows and orphans are at times sadly wronged by life assurance policies taken out for their protection, sometimes paid for by money settled upon them having been reduced by loans made for purposes of no advantage to them. Our Antipodean contemporary is unduly censorious, however, in charging