

the means to maintain them. With these things, however, they had nothing to do. The Manitoba legislation had been declared constitutional, therefore it could not affect the rights or privileges of the minority, and consequently there could be no right of appeal to the Federal authorities, and any interference by the Federal authorities would be unconstitutional. The Dominion Parliament had no power to alter the Manitoba act. For these reasons he must answer the first question in the negative. The Privy Council determined that the Manitoba legislation of 1890 did not prejudicially affect any right or privilege existing at the time of the union, and, if so, there was no right of appeal, because even assuming that the Manitoba act was wide enough to cover an appeal in regard to rights since the union, or assuming that the B.N.A. act was applicable, he would still be inclined to think that, under the Privy Council decision, there were no rights infringed by this legislation, so as to permit an appeal to the Federal authorities. It had been argued that the right of appeal was given only against legislation which was *intra vires*, but he failed to see how this could help the petitioners, if none of their rights or privileges are acquired since the union were affected by the act of 1890, and that these rights or privileges are not affected by that legislation is evident from the fact that it had been declared constitutional. On this ground the petitioners were ousted by the judgment of the Privy Council from complaining that the legislation sweeps away rights accrued under statutes passed since 1870. The petitioners might have been able to convince him that they had been deprived of organization, and by the dissolution of a corporate body such as a school board, but if that opinion had prevailed in the higher court the legislation complained of would have been held to be *ultra vires*, and it had not been so held. He agreed with his brother Strong as to the necessity for express terms to deprive a Legislature of a right to revoke its own laws. He replied to the first question in the negative, and so with the other questions, except number 8, to which his answer would be yes.

Mr. Justice Gwynne quoted copiously from the judgment of the Privy Council, and to the third question answered yes and to the others no.

Mr. Justice King was of opinion that any legislative enactment by the Province conferring rights or privileges upon the minority lets in the Dominion Parliament with concurrent jurisdiction to continue those rights and privileges. The ambiguous provisions of section 22 of the Manitoba act should be construed in conformity with the general act. It did not seem reasonable that Parliament intended to disregard entirely the constitutional limitations which three years before were imposed upon the other members of Confederation. Unless sub-section 2 had the meaning suggested by the entire limitations suggested by the whole section were inoperative, as there were no such schools prior to the union, and sub-section 2 would be inoperative if limited to rights or privileges existing prior to the union. This construction restrained the power of the Legislature, it is true, but the same thing would apply to other Provinces were they to be placed in a similar position. The Legislature might not choose to execute the order of the Governor-General in Council and the Dominion Parliament could then exercise its concurrent jurisdiction, thus overriding the decision of the Legislature. This condition of things might be without the elements of permanence, but if it was in the constitutional system it must be recognized by a court of law. His Lordship then pointed out that the act of 1890, by allowing voluntary

Separate Schools, had the effect of imposing double rate of taxation upon the part of the population, and a single rate upon the other part. Of course, the minority could obtain equality by giving up their schools, but the question was whether rights had been prejudicially affected by an act which took away the status of such schools, and subjected the minority to a double educational burden. The substantial thing involved in the exemption of the supporters of Separate Schools which previously existed was that their own rates should go solely to the support of their own schools. This was a right and privilege afforded to them under the clause in relation to education, and these rights could be altered only subject to appeal and to the right of the minority to seek redress from the Dominion Parliament. His Lordship added that he expressed this opinion subject to grave doubts, after hearing the opinions of the other members of the Court.

The Chief Justice requested the Registrar of the Court to transmit the opinions to the Minister of Justice. By express statutory enactment these opinions are to be deemed in the nature of a judgment for the purpose of an appeal to the Privy Council in England, whether the matter will be again sent.

Ireland's Ancient Wealth.

All authorities agree in stating that the ancient inhabitants of Ireland must have been very familiar with gold and well accustomed to its use. Native gold occurs in geological deposits in many parts of Ireland. Until lately the gold mines in Wicklow were the most productive in the British Isles, and besides this there are six other known gold-producing localities—Antrim, Derry, Tyrone, Kildare, Dublin and Wexford. It is probable, however, that many of the earlier auriferous deposits have been worked out, or are now unknown. It is a fact that no country in Europe possesses so much manufactured gold belonging to early ages as Ireland. In the museum of the Royal Irish Academy alone there are nearly 400 specimens of Irish gold antiques. The gold antiques in the British Museum illustrative of British history are, without exception, Irish. The museum of Trinity College, Dublin, contains many fine examples, and there are several large private collections. But there is no doubt that much greater quantities of gold ornaments than are now known as existing have been lost forever.

Crispi and Rampolla.

Here is a queer but authentic anecdote from Rome: In the street of Gregoriana dwell in the same building Crispi and Iwolski, the Russian charge d'affaires to the Holy See. Cardinal Rampolla called on the latter the other day, and sent his card to him by his valet. On the staircase the valet met a domestic and asked him if he belonged to the household of the minister. He was answered in the affirmative, and forwarded the paste-board. But this domestic belonged to Crispi, and not to Iwolski, and to the Italian secretary of state went the card of the pontifical magrate. Crispi was surprised and delighted, and forthwith sent his chief of cabinet to the Vatican to return the compliment to Cardinal Rampolla. The amazement of both may be imagined.

Paul Bonnevoue, who began his career as secretary to Dumas pere, and varied it as diplomat, editor, publisher, politician and banker, is ending it in a New Hampshire poorhouse.

People with delicate stomachs find Ayer's Sarsaparilla agreeable to the taste, and therefore prefer it as a blood-purifier to any other. This is one reason for its great popularity as a spring and family medicine. Safe, certain, and palatable.

Western Assurance Company.

Forty-Third Annual Meeting.

The annual meeting of the shareholders of the above company was held at its offices at Toronto on Thursday, 22nd February, 1894. Mr. A. M. Smith, President, occupied the chair, and Mr. J. J. Kenny, Managing Director, was appointed to act as Secretary to the meeting. The Secretary read the following:

Forty-Third Annual Report

The Directors have pleasure in presenting herewith the forty-third annual report of the company, with revenue and expenditure, and profit and loss accounts, for the year ending 31st December last, and statement of assets and liabilities at the close of the year.

In conformity with the resolutions passed at the special meeting of shareholders held on the 22nd of February last, the paid up capital of the company has been increased to \$1,000,000, and the total cash assets now amount to \$2,412,042.03.

In regard to the business transacted during the year, it will be noted that the premium income shows a moderate increase over that of 1892; but, while the rates of premium obtained have, as a rule been such as, judging by past experience, would have been ample to yield a fair profit in an ordinary year, they have not proved sufficient to meet the exceptional losses which this company—in common with others doing business in Canada and the United States—has sustained during 1893. Your Directors consider however, that the causes to which no inconsiderable proportion of the excessive destruction of property by fire during the past twelve months is attributable, may be regarded as of a transitory nature; while its effects are likely to be experienced in succeeding years in the maintenance of adequate rates to fully reimburse companies for the losses they have sustained. The experience of this company in the past, as will be seen by a reference to its annual reports, confirms this opinion, and at the same time demonstrates the wisdom of accumulating in prosperous times an ample reserve to meet the demands of adverse years. In this connection it may not be out of place to refer here to the fact that from the earnings of the five years preceding the one under review we have been able, after paying dividends at the rate of ten per cent per annum, to carry \$315,000 to our reserve fund; and although in a business such as that we are engaged in no reliable forecast can be made of the probable outcome of any one year, your Directors feel that they have every reason to anticipate that the future experience of the company will prove at least as favorable as its record in the past.

The Directors feel that the thanks of the shareholders are due to the officers and agents of the company for their work in a year which has been a particularly trying one to all concerned.

Summary Financial Statement

Revenue account:—	
Total Income	\$ 2,525,808 03
Expenditure (including appropriation for all losses reported to 31st December, 1893)	2,420,776 99
Total assets	2,412,042 03
Reserve fund	1,000,000 00
Surplus for policy-holders	2,005,038 58

The President, in moving the adoption of the report, said:

In the report you have just heard read the Directors have placed before the shareholders what I think must be regarded as a clear and intelligible statement of the transactions of the company for the past year, and of its financial condition at the close of 1893. We have referred to the experience of the company in the past and to our anticipations for its future, and briefly alluded to the exceptional conditions which have prevailed throughout the financial and commercial world, but it may not be inappropriate for me to extend my observations somewhat, and call your attention for a few moments to the general experience of companies during the trying times through which we have passed, in the business in which we are engaged. Insurance has been called the hand maiden of commerce, and it must be admitted that without the protection it affords the trade and commerce of the country would become paralyzed. Upon the security afforded by insurance companies every merchant and manufacturer is largely dependent, and upon this same protection our banks, loan companies and other financial institutions rely for immunity from the risk of loss by fire and marine disaster; in fact, underwriters may be regarded as endorers, in a limited sense, of almost every commercial and financial transaction of the business community. With these intimate relations existing, it might naturally be supposed that insurance companies could not fail to be affected in no slight degree by the disturbed conditions prevailing in all branches of trade during 1893, and a few extracts from the statements of the companies which have been published in Canada and the United States will afford conclusive evidence that this has been the case. The thirty-seven companies licensed by the Dominion Government to do business in Canada report total premium receipts for year of \$6,740,958, and total losses of \$1,970,266, a ratio of losses to premiums of

732 per cent., or 12 per cent. in excess of the average ratio of the preceding six years, and in the United States, although the total figures of all the companies doing business there have not yet been compiled, we find in the report just issued by the New York State Superintendent Insurance unquestionable evidence that the business of the country has been done at a considerable loss to the companies. This report embraces the statements of one hundred and twenty eight American and foreign companies doing fire and marine business in the United States, and shows a shrinkage of nearly \$10,000,000 in the combined surplus funds of these companies, compared with that which they had a year ago, due to the extraordinary losses of the past year, and to the decline in the market value of many of their assets.

Turning from these figures to our own experience, we find that our loss ratio in Canada is nearly 10 per cent. below the average of the companies as a whole and that in the United States we compare favorably with the American and foreign companies doing business there. I feel, therefore, that I may sum up the result of our year's business by saying that, comparatively speaking, we regard it as a favorable one, when we consider the general experience as demonstrated by the figures I have quoted.

In presenting the last annual report to the shareholders a year ago, I pointed out that in the preceding twenty seven years during which I had the honor of occupying a seat at this board, we had, notwithstanding the adverse experience of several years in which expenditure exceeds income, been able, out of the earnings of the business, to pay \$1,015,000 in dividends to shareholders, and to carry nearly \$900,000 to our Reserve Fund; and before resuming my seat it may be well for me to state briefly the grounds upon which the Directors base the opinions expressed in their report, that at least an equally favorable record may reasonably be looked for in the future.

First, let me say that our business is subject to elements largely beyond human control, as well as sensitive to the fluctuations and disturbance of the commercial world, and that we cannot reduce it to anything like an exact science nor estimate with any degree of certainty the losses which are likely to occur in any one year.

Nevertheless the history of fire insurance shows—and our own records confirm this—that, notwithstanding the fact that we occasionally meet years which are liable to upset our calculations as to rates which should yield a profit, if we take a period (say of five or ten years) sufficient to equalize fluctuations such as I have referred to, we find that the premiums are sufficient to yield a profit to the companies after paying all losses and expenses. Further, we believe that the present rates of premium, speaking generally, are such as are likely to prove remunerative, and that with those maintained, as they doubtless will be, and a return to anything like a normal fire record companies will be reimbursed for the losses of 1893; and I am glad to be in a position to say that during the past few months losses have steadily diminished, and that thus far in the present year we have nothing to complain of in this respect. Our confidence in the future is also largely based upon the present strong financial condition of the company, possessing as it does cash assets of upwards of \$2,400,000, which must continue to command for it a liberal share of the best business of this continent.

The Vice-President seconded the adoption of the report which was carried unanimously and a cordial vote of thanks was passed to the President and Board of Directors for their services and attention to the interests of the company during the past year.

The election of Directors for the ensuing year was then proceeded with, and resulted in the unanimous re-election of the old board, viz: Messrs. A. M. Smith, George A. Cox, Hon. S. C. Wood, Robt. Beatty, G. R. R. Cockburn, M. P., George McMurrich, H. N. Baird, W. R. Brock, and J. J. Kenny.

At a meeting of the Board of Directors held subsequently, Mr. A. M. Smith was re-elected President, and Mr. George A. Cox, Vice-President for the ensuing year.

A number of friends of Sergeant Hodgins, Crossmolina, intend to present him with a testimonial on the occasion of his retiring from the force, on a pension. Sergeant Hodgins has been a very useful officer in Crossmolina, and is very popular with all classes.

COLIC AND KIDNEY DIFFICULTY.—Mr. J. W. Wilder, J.P., Lafargeville, N.Y., writes: "I am subject to severe attacks of Colic and Kidney, Difficulty, and find Parmelee's Pills afford me great relief, while all other remedies have failed. They are the best medicine I have ever used." In fact so great is the power of this medicine to cleanse and purify, that diseases of almost every name nature are driven from the body.

At the recent examination of the Royal College of Surgeons, England, Mr. Redmond Roche was admitted a member. Mr. Roche is a distinguished graduate in Arts of the Royal University of Ireland.