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INSURANCE COMPANIES AND LITIGATION.

One of the morning journals recently published some remarks which reflected on Insurance Companies for taking advantage of technical objections to defeat claims under their policies, and made a few vague comments on a case in which the BEAVER MUTUAL was concerned at the Barrie assizes. There is no reason why public companies should not be allowed the same privileges as individuals in our Courts of Law; but this we do know, that a prejudice exists against Corporations of all kinds, so strong that juries do oftentimes stretch a good many points to favor an individual when the contest lies between him and a Corporation. In fact, a Corporation when it does battle against an individual, need expect no mercy. A great many reasons might be urged against the cultivation of such an unjust prejudice, and public journals should not lend themselves to the unworthy task of encouraging and strengthening it. We are prepared to admit that some Companies, or rather Managers, have a morbid taste for technicalities, but such supplies its own corrective. The reputation acquired by those who are fond of plunging into litigation is neither enviable nor profitable, and Insurance Companies properly managed rarely find themselves called on to exercise acuteness in discovering holes out of which to creep. An Insurance Company cannot, for its own sake, afford to become litigious, as it has not only a deep rooted prejudice on the part of juries to contend against, but also the keen watchfulness and tell-tale tongues of its rivals. Much less can it afford to be given to technicalities, for what it gains from success on questionable grounds it loses tenfold in popular estimation. The real fact is that no institutions are so liberal, or so often called upon to waive technical objections as Insurance Companies. The despotic terrorism under which they exist restrains them from construing their contracts with too great nicety. The nature of the business they do, their dependence on public favor, and the desire on the part of their agents to extend operations, are so many preventives of undue harshness. Of course there are exceptions in this particular as in every other, but the general rule is as we have stated.

Insurance Companies may be a great boon, or a great curse to a country. It is hard to say whether the advantages they confer in the protection of the honest and industrious, are not counterbalanced by the great temptations to crime they are the means of begetting. Their readiness to yield their rights amounts to a positive fault in many instances, and has given rise to a species of despotic exaction which has attained, through custom, almost the dignity of law. The alarming increase in the number of cases of incendiarism and arson of late years, can be traced to no other cause than the facilities afforded for escape from the consequences of such crimes by the conduct of Insurance Companies themselves.

Their inconsiderate settlement of losses without adequate inquiry; their patient submission to palpable fraud; their rash haste to acquire a name for "prompt payment;" their timid shrinking from the maintenance of their rights; their supineness in securing the punishment of crime, have produced evils which should alarm every lover of his country. When fraud obtains the upper hand, and crime runs riot without check, public morality must suffer. Viciousness overawes virtue, and the honest poor, seeing their less conscientious neighbours grow rich by crimes in which large Corporations apparently acquiesce, are only too apt to give way to that kind of logic which now obtains in the jury room, when a Corporation attempts to defend itself against a demand of any kind, whether just or unjust. The degeneracy of the times is a source of frequent complaint on the part of the social philosopher. The rapid increase of incendiarism and arson is terrible to think of. The stab of the assassin may seal the doom of one victim, but who can sum up in a word the awful guilt of the wretch who, at dead of night, applies the torch to his own or his neighbour's dwelling; who exposes to the most terrible of deaths the innocent and the harmless; who, at one swoop, devours wife, child and home, and leaves a broken-hearted desolate one to go through life heavy-laden