Judgment of Riddell, J., affirmed.

(November 14, 1908—Court of Appeal—Thompson v. Equity Fire Insurance Co.—Thompson v. Standard Mutual Fire Insurance Co.—17 Ontario Law Reports, p. 214).

Grounds for Supreme Court's Reversal of Decision.

One of the conditions of the contract of insurance against fire imposed by the Ontario Insurance Act, R. S. O., 1897, ch. 203, sec. 168, subsec. 10 (*f*), is that an insurance company is not liable for a loss occurring while gasoline, *inter alia*, is "stored or kept in the building insured......unless permission is given in writing by the company."

T. effected insurance on a building used as a drug and furniture shop having in his employ a qualified chemist who occupied rooms in the upper part as tenant. This clerk had a gasoline stove which he used occasionally for domestic purposes and later on he brought it down to the shop and used it in making syrups, and while doing so the building took fire and was totally destroyed.

Held, that this was a "keeping" of gasoline on the insured premises within the meaning of the statutory condition, and the insurance company were not liable for the loss. Mitchell v. City of London Assurance Co. (15 Ont., App. R., 262) distinguished.

Judgment appealed from (17 Ont., L. R., 214) reversed, Idington and Anglin, JJ., dissenting.

(April 5, 1909—Supreme Court of Canada—Equity Fire Insurance Co. vs. J. C. Thompson and the Union Bank of Canada—The Standard Mutual Fire Insurance Co. vs. J. C. Thompson and the Union Bank of Canada—41 Supreme Court of Canada, p. 491).

Mines and Mining.

THE COBALT OUTPUT last week was 864,855 pounds or 432.42 tons of ore. The total shipments for the year to date are 45,419,287 lbs., or 22,709 tons. Shipments for week and year (in lbs. of ore) are:

	Week	Year
Buffalo	......	883,778
Chambers-Ferland	......	961,010
City of Cobalt	57,600	1,000,122
Cobalt Central	......	640,814
Coniagas	80,600	1,360,025
Crown Reserve	......	4,808,474
Drummond	......	992,100
Kerr Lake	60,900	1,765,126
King Edward	......	183,740
La Rose	202,202	10,016,448
McKinley	......	1,558,718
Nancy Helen	......	124,700
Nipissing	254,712	10,197,216
Nova Scotia	......	480,810
O'Brien	......	2,151,607
Peterson Lake	......	324,040
Right of Way	......	2,316,135
Silver Queen	86,449	685,384
Silver Cliff	......	123,820
Temiskaming	60,000	2,166,260
T. & H. B.	......	1,106,260
Trethewey	......	1,613,698
Wettlaufer	......	50,900
Muggley Con	......	82,900
H. J. Stewart	62,392	62,392

LA ROSE has recovered somewhat from last week's market slump. Rumours as to disappointing vein indications are denied, and the prospects of the merged Lawson mine are cited as being bright.

WYANDOH SHARES are reported as having been successfully underwritten this week. The larger part of the 1,000,000 shares which will be put on the market at 50 cents were underwritten within the first three days of offering—it being understood that the original syndicate stood ready to purchase any unapplied balance themselves. Besides the now famous Yonge-O'Brien mine, the company has other claims with an aggregate area of 75 acres. The total authorized capital is $3,000,000 with 2,500,000 shares issued; 1,000,000 of which are offered to the public, 1,500,000 being pooled.

INCORPORATION NOTICE of four more mining companies is given by the Ontario Gazette; The Britannia Silver Mines, Limited, Toronto, capital $3,000,000; High Falls Mining Company, Limited, Ottawa, capital $2,000,000; The Chicago-Gow Ganda Mines Company, Limited, Toronto, capital $1,000,000; Tudhope Silver Mines, Limited, Haileybury, capital $1,000,000; Chief Matash Mines Company, Limited, Toronto, capital $500,000.

PROF. R. W. BROCK, Director of the Dominion Geological Survey, returned to Ottawa from the West this week. Regarding the Klondike he states that the big Guggenheim ditch is practically completed. Mining is by no means at an end there, says Mr. Brock. The Yukon will produce much gold still and attention is now being paid to quartz possibilities, a small gold mill having been erected on one prospect.

THE CONSOLIDATED MINING & SMELTING COMPANY's annual report shows a net profit of $329,004 after writing off $153,218 for depreciation upon plant. Nearly $250,000 out of operating earnings was provided for additions to equipment and properties, which was given as the reason for non-declaration of dividends.

THE KERR LAKE report for the year ended August 31st, 1909, shows a surplus of $1,129,047, an increase of $644,510 over the previous year.

The total production of silver during the year was 2,668,648 ounces.

The gross value of this production is at 50c an ounce $1,344,324.

ORE SHIPMENTS from South-Eastern British Columbia last week were as follows, in tons:

	Week.	Year.
Boundary	32,745	1,083,927
Rossland	4,031	179,497
Slocum-Kootenay	3,807	146,758
Total for week	40,583	1,410,182

SEPTEMBER ORE SHIPMENTS from Cobalt were 2,506 tons. While slightly less than the August total in bulk, values will run considerably higher. For the nine months of 1909 shipments were 23,117 tons, as compared with 17,027 tons in 1908.

CROWN RESERVE again made a record this week, registering $6.00 yesterday. Little stock is changing hands, however, Some three million ounces of silver are said to have been produced by the mine, this year to date. The nine months' report gives the total net value of ore shipped as being $1,368,951.

A RICH MICA VEIN is the latest reported discover in the Peace River district.